JUSTICE
ACTUALITÉS REPORT

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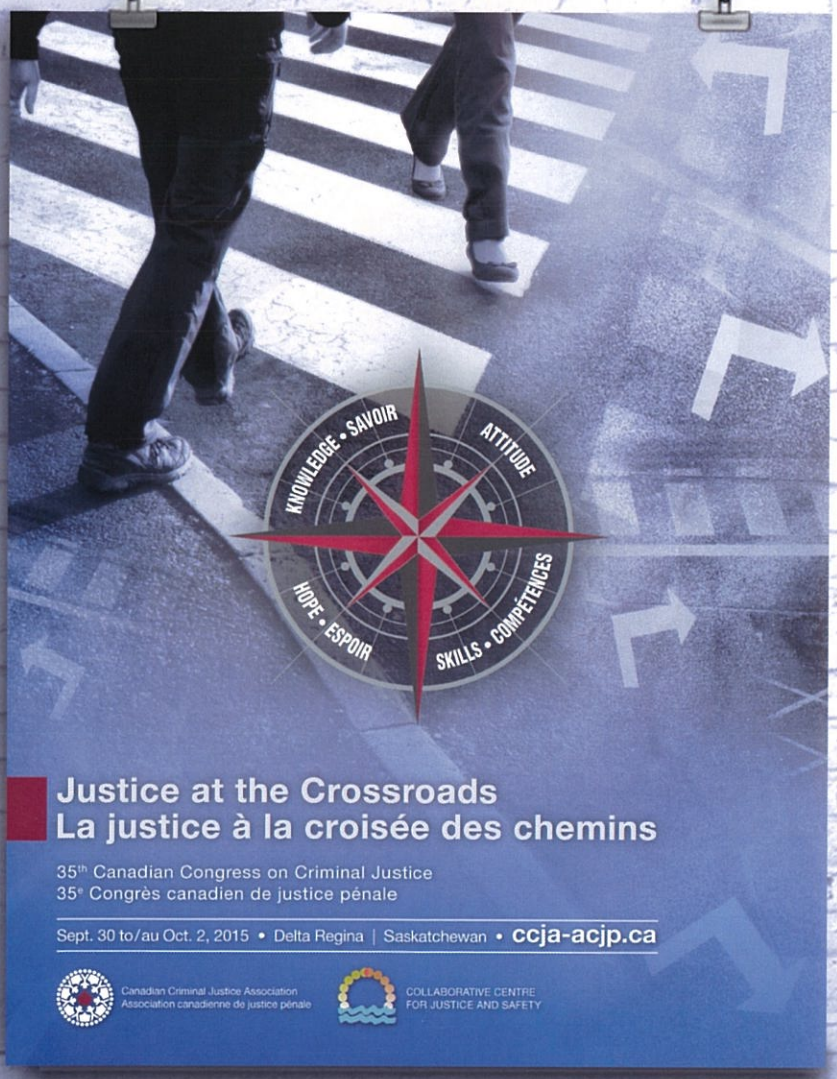
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Justice at the Crossroads
La justice à la croisée des chemins
35th Canadian Congress on Criminal Justice
35e Congrès canadien de justice pénale
Sept. 30 to/au Oct. 2, 2015 • Delta Regina | Saskatchewan • ccja-acjp.ca
Canadian Criminal Justice Association
Association canadienne de justice pénale
COLLABORATIVE CENTRE
FOR JUSTICE AND SAFETY

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PLUS SUR LES VICTIMES...

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JUSTICE
ACTUALITÉS REPORT

Volume 30 No. / N° 2

The **JUSTICE REPORT** contains information of value to Association readers and the public interested in matters related to the administration of justice in Canada. Opinions expressed in this publication do not necessarily reflect the Association's views, but are included to encourage reflection and action on the criminal justice system throughout Canada. For more information on the activities of the CCJA, please contact: •• L'**ACTUALITÉS-JUSTICE** renferme des renseignements utiles aux lecteurs de l'Association et au public qui s'intéressent aux questions relatives à l'administration de la justice au Canada. Les opinions qui sont exprimées ne reflètent pas nécessairement les vues de l'Association, mais y figurent afin d'encourager à réfléchir et à agir sur la justice pénale dans tout le Canada. Pour obtenir de plus amples renseignements sur les activités de l'Association, veuillez communiquer avec :

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EDITORIAL

BY IRVING KULIK, Executive Director of the Canadian Criminal Justice Association

Real life without parole is here. It may very well be justified in some cases and we are all familiar with those individuals who were always judged to be too great a risk to ever be released and so eventually died in custody. There are two fundamental questions to ask however. First, how do we predict that an individual will never be able to change prior to the end of a mandatory 10, 15, 25 or even more years waiting period for parole eligibility? And if the individual does change, how does the community benefit by keeping him locked up longer, or forever?

In Canada we are fortunate to have an independent judiciary capable of making intelligent and objective sentencing decisions. In addition, we possess a fairly sophisticated system of risk assessment. Assessments can be carried out prior to sentencing and at every stage of the sentence so that the Parole Board of Canada, an independent tribunal, can then make appropriate release decisions. The Parole Board however, cannot review a case prior to parole eligibility no matter how much progress an offender has demonstrated. The 'life is life' mantra therefore ties the hands of judges and parole officials by extending the ineligibility period far beyond what may be necessary and reasonable in a society that believes that people can change. Further, the evidence that judges or the Parole Board cannot be trusted to make good decisions is inexistent. As an example, we know that only a fraction of (first degree) murderers currently are ever released before 25 years. Indeed, few are released after 25 years. We are aware of no murderers that have recommitted such an offence after release. So why the emphasis on still longer periods of incarceration? Why do we remove decision-making from those professionals who are trained to make decisions and utilize their discretion as required?

Without minimizing the importance of the above questions, there is an even more critical one: Where will this stop? The Supreme Court has already intervened in the case of mandatory sentences for gun crimes however; it is likely that legislation will be reintroduced with more precise language. What about 'life means life' type sentences for other crimes? We know that we tend to follow US practices in criminal justice, but with a lag time of several years. Unfortunately, when practice changes in the States we may still be following the previous approach. We see this with the attempt to reduce incarceration in California, and Texas- albeit that Texas executed 10 prisoners in 2014- for example, as we increase incarceration through 'tough on crime' legislation. Where we need to be extremely vigilant, however, is in the increasing application of 'life without parole' (LWOP) in the US.

Mark Mauer, the Executive Director of the United States Sentencing Project, notes: "... the American zeal for punishment has resulted not only in more individuals being sentenced to prison, but also in keeping them there far longer than in comparable nations. At the deep end, 160,000 people – one of every nine people in U.S. prisons – are now serving a life sentence, and many more are serving "virtual" life sentences of 50 years or more". What is striking is that as of last year, 49,000 prisoners were officially serving a sentence of life without parole (LWOP). In 8 states, over a third of their LWOP prisoners had been convicted of non-homicide crimes, most frequently drug offences.

The current Canadian "zeal for punishment" does not show any inclination to abate. Let us be sure that we avoid increasingly lengthy sentences that are de facto life without parole terms. Canadian statistics have long pointed to a decrease in crime and yet incarceration numbers are growing. By increasing the actual length of sentences we are also bringing ourselves to a point of no return- where there are inadequate resources available for correctional programmes for a growing offender population, while also decreasing the resources available to communities to prevent crime. If there is no interest in studying criminology perhaps we can consider economics? ••

ÉDITORIAL

PAR IRVING KULIK, Directeur exécutif de l'Association canadienne de justice pénale

Nous y voilà. Une condamnation «à vie» signifie désormais «à vie». Voilà qui pourrait très bien être justifiable dans certains cas: nous connaissons tous certains individus qu'on a toujours trouvé présenter un danger trop élevé pour être libérés et qui sont finalement décédés en prison. Il faut, toutefois, se poser deux questions fondamentales. D'abord, comment peut-on prédire qu'une personne sera incapable de changer avant que ne se soit écoulée une période obligatoire de 10, 15, 25 ans ou plus avant d'être admissible à une libération conditionnelle? Puis, si un individu parvient à changer, quel avantage la collectivité pourrait-elle tirer de le tenir enfermé plus longtemps ou à perpétuité.

Au Canada, nous avons le bonheur de pouvoir compter sur un système judiciaire indépendant et en mesure de rendre des décisions intelligentes et objectives en matière de détermination de la peine. Nous disposons en outre d'une approche d'évaluation des risques assez sophistiquée. Des évaluations peuvent être menées avant la détermination de la peine et à chaque étape de celle-ci, de manière à ce que la Commission nationale des librations conditionnelles, un tribunal indépendant, puisse rendre des décisions appropriées de mise en liberté. Cette Commission ne peut toutefois pas procéder à l'examen d'un cas avant la date d'admissibilité à une libération conditionnelle, quel que soit le niveau de progrès démontré par un détenu. Conséquemment, le mantra «vie veut dire vie» lie les mains des juges et des autorités responsables des libérations conditionnelles en prolongeant la période d'inadmissibilité bien au-delà de ce qui pourrait être nécessaire et raisonnable dans une société où l'on croit en la capacité de changer d'une personne. De plus, rien ne démontre que l'on ne peut pas faire confiance aux juges et aux commissaires des libérations conditionnelles pour qu'ils rendent de bonnes décisions. Par exemple, nous savons que seule une fraction des personnes condamnées pour meurtre au premier degré est remise en liberté avant d'avoir purgé 25 ans. De fait, peu sont libérés même après 25 ans. Nous ne connaissons aucun meurtrier ayant commis un autre meurtre après avoir été libéré. Pourquoi donc mettre l'accent sur des peines d'emprisonnement encore plus longues? Pourquoi retirer le pouvoir décisionnel de professionnels formés à prendre des décisions et à utiliser leur pouvoir discrétionnaire comme il se doit?

Sans minimiser l'importance de questions ci-dessus, une autre s'avère encore plus cruciale: où va-t-on s'arrêter? La Cour Suprême du Canada s'est déjà prononcée sur la question des peines obligatoires liées aux armes à feu. Il est toutefois probable qu'on réintroduise une nouvelle loi comportant un langage plus précis. Qu'en est-il des peines du type «vie veut dire vie» pour d'autres crimes? C'est connu, nous avons tendance à adopter les pratiques américaines en matière de justice pénale, mais avec un délai de plusieurs années. Malheureusement, il se pourrait que nous en soyons toujours à mettre en œuvre les approches précédentes lorsque les pratiques changent aux États-Unis. Nous le constatons notamment alors que la Californie et le Texas s'efforcent de réduire leurs taux d'incarcération – bien que le Texas ait mis 10 détenus à mort en 2014 – pendant que nous contribuons à accroître nos taux d'incarcération en adoptant des lois encore plus répressives. Il nous faut toutefois être très vigilants en ce qui a trait à la mise en œuvre accrue de sentences à perpétuité sans possibilité de libération conditionnelle, telles qu'elles existent aux États-Unis.

Comme le souligne Mark Mauer, directeur général du *United States Sentencing Project*: «...le zèle déployé par les Américains pour le châtiment a conduit non seulement à l'incarcération d'un plus grand nombre de personnes, mais aussi à ce qu'elles demeurent en prison pour des périodes plus longues que dans d'autres pays comparables. Quelque 160 000 personnes – soit un détenu sur neuf dans les prisons américaines – purgent actuellement une peine à perpétuité et un plus grand nombre encore est à purger «une peine à perpétuité virtuelle» de 50 ans ou plus. Ce qui frappe, c'est qu'à compter de l'an passé, 49 000 purgeaient officiellement une peine à perpétuité sans possibilité de libération conditionnelle. Dans 8 États, plus du tiers des détenus purgeant une peine à perpétuité sans possibilité de libération conditionnelle avaient été trouvés coupables d'un crime autre qu'un homicide, les plus fréquemment d'une infraction liée aux drogues.

Le zèle à punir dont font actuellement preuve les Canadiens ne semble pas enclin à s'apaiser. Assurons-nous d'éviter d'imposer des peines de plus en plus longues qui deviendront *de facto* des peines sans possibilité de libération conditionnelle. Les statistiques au Canada démontrent depuis longtemps une baisse des taux de criminalité et, pourtant, les taux d'incarcération continuent de croître. En accroissant la durée réelle des peines, nous nous approchons du point de non-retour - là où il n'existe pas de ressources adéquates pour offrir des programmes correctionnels à une population carcérale croissante, ce qui contribuera en outre à drainer les ressources dont les collectivités ont besoin pour prévenir la criminalité. S'il n'existe aucun intérêt pour l'étude de la criminologie, on devrait possiblement se pencher sur la science économique! ••

NOTICES & FEEDBACK | AVIS & RÉACTIONS

FEEDBACK WILL APPEAR IN THE *JUSTICE REPORT* WHENEVER NOTICES OR COMMENTARIES ARE RECEIVED. PLEASE HELP US BY CONTRIBUTING TO THIS PAGE!

LE VOLET RÉACTIONS APPARAÎTRA DANS *ACTUALITÉS-JUSTICE* CHAQUE FOIS QUE L'ON NOUS COMMUNIQUERA DES AVIS OU COMMENTAIRES. VEUILLEZ NOUS AIDER EN CONTRIBUANT À CETTE PAGE.

NOTICES •• AVIS

STUDENT AWARD WINNERS 2015

The CCJA is pleased to announce the following winners of our $1000 Student Award. We congratulate Natalie and Craig and wish them all the best with their studies and future career. We will be seeking candidates again this fall for next year's award.

NATALIE SNOW will be graduating with a Bachelor of Applied Arts, Criminal Justice (Honours) from Humber College in Toronto.

She has done extensive volunteer work with the Ontario Ministry of Community Safety and Correctional Services as a volunteer probation officer at the Brampton office; with the Canadian Families Corrections Network at Grand Valley Institute; with the Elizabeth Fry Society Peel-Halton- as a Community Justice Worker; and the Rexdale Community Legal Clinic.

She is currently the co-president of the Aboriginal Student Circle at Humber College. She is a past winner of the Humber College Faculty Union Memorial Scholarship which recognizes a student in the first year of study who has shown a passion in social justice issues, and a member of the Canadian Criminal Justice Association since 2012.

CRAIG MOORHEAD will be graduating from the University of Western Ontario with a Bachelor of Arts, Honours Double Major in Political Science and Criminology.

He is currently working with the NATO Council of Canada as a Junior Research Fellow. His volunteer experience includes assignments with the Toronto Police Community Outreach Rescue Program; the Western University Foot Patrol; with the Violence Prevention Program as a "Break the Silence" Facilitator, and as a Political Science Association Peer Mentor. He was on the Dean's Honor List in 2013-2014.

GAGNANTS DU PRIX ÉTUDIANT 2015

L'ACJP est heureuse d'annoncer les gagnants de son Prix étudiant de 1000$. Nous félicitons Natalie et Craig et leur souhaitons le meilleur des succès dans leurs études et leur future carrière. Cet automne, nous serons à nouveau à la recherche de candidats pour le prix de l'an prochain.

NATALIE SNOW obtiendra un baccalauréat en arts appliqués, justice pénale (avec distinction) du Collège Humber de Toronto.

Elle compte de nombreuses heures de bénévolat au bureau de Brampton du ministère de la Sécurité communautaire et des Services correctionnels de l'Ontario à titre d'agente de probation bénévole, au Regroupement canadien d'aide aux familles des détenu(e)s, à la *Elizabeth Fry Society Peel-Halton* à titre d'intervenante en justice communautaire, ainsi qu'à la *Rexdale Community Legal Clinic*.

Elle est présentement coprésidente de l'*Aboriginal Student Circle* au Collège Humber. Elle s'est vu décerner la bourse d'études *Humber College Faculty Union Memorial Scholarship,* laquelle est attribuée à une étudiante ou à un étudiant de première année qui a manifesté sa passion pour les questions de justice sociale. Elle est aussi membre de l'Association canadienne de justice pénale, depuis 2012.

CRAIG MOORHEAD obtiendra un baccalauréat ès arts avec double spécialisation en sciences politiques et en criminologie de l'Université Western Ontario.

Il est présentement chercheur universitaire subalterne au Conseil canadien pour l'OTAN. Il a travaillé comme bénévole pour le *Community Outreach Rescue Program* du Service de police de Toronto, la patrouille à pied de l'Université Western, le Programme de prévention de la violence à titre de facilitateur pour «briser le silence», ainsi qu'à l'Association canadienne de science politique à titre de mentor auprès de ses pairs. En 2013-2014, son nom a été inscrit au palmarès du doyen.

FEEDBACK •• RÉACTIONS

Dear Reader

We introduced this Feedback item a few issues ago in the hope of receiving your opinions and comments on specific articles or the magazine as a whole. As such, we were very happy to receive the following article from St. Leonard's House-Windsor, the writing of which was sparked by an article by Eva Rucki, which appeared in the *Student Space* of issue 30.1. Following this, we are pleased to present a spill-over of articles from the 30.1, Victims Issues and a number of articles on general topics of interest.

We encourage our readers to send any feedback, from a short paragraph to a full article-length commentary, to the Editor, Nancy Wright, at ccjapubsacjp@publications.ca. We will publish your comments in the Feedback section of the next issue of the *Justice Report*. Your feedback is important to the CCJA and the readers of this publication!

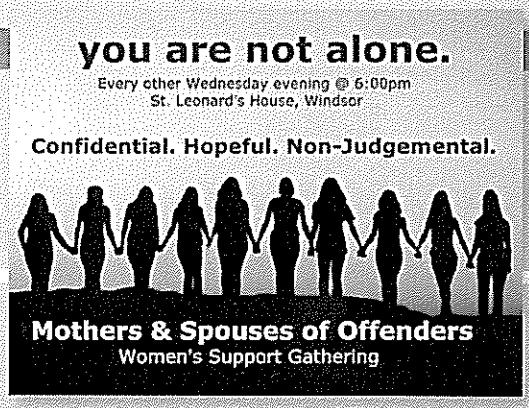
Cher lecteur/chère lectrice

Il y a de cela quelques numéros, nous avons créé le volet *Réactions* dans l'espoir de recevoir vos opinions et commentaires relatifs à certains articles ou au magazine dans son ensemble. Nous sommes heureux de vous présenter l'article qui suit, rédigé conjointement par une intervenante et l'aumônier de la Maison St-Léonard de Windsor, surtout que la réaction de cet article a été motivée par un texte d'Eva Rucki, publié dans l'*Espace Étudiant* du numéro 30, vol.1 d'*Actualité-Justice*.

Nous encourageons nos lecteurs et lectrices à réagir aux articles publiés en faisant parvenir un commentaire pouvant varier d'un paragraphe à un article complet, adressé à la rédactrice, Nancy Wright, à l'adresse ccjapubsacjp@publication.ca. Vos commentaires seront publiés dans la section Avis de réactions du numéro suivant d'*Actualité-Justice*.

Mothers & Spouses of Offenders Support Group

BY JEN GRAHAM, Caseworker, St. Leonard's House-Windsor
and **RIELLY MCLAREN,** Chaplain, St. Leonard's House-Windsor
April 28, 2015


you are not alone.
Every other Wednesday evening @ 6:00pm
St. Leonard's House, Windsor
Confidential. Hopeful. Non-Judgemental.
Mothers & Spouses of Offenders
Women's Support Gathering

We were recently handed a copy of the Canadian Criminal Justice Association's winter *Justice Report* by our Executive Director, Skip Graham, as he thought we would definitely want to read the article entitled "Support for Families of Murderers" by Eva Rucki. The reason this article would be of great interest to us is that we currently co-facilitate a support group of mothers, wives, daughters etc. of offenders and have been doing so since June of 2013. Right away we knew we needed to share our story and let the *Justice Report* readers know such a group does exist, and in Windsor Ontario.

The Mothers and Spouses of Offenders Support Group for women began through our professional experience and lengthy discussion. Our day-to-day is working with ex-offenders as they return to the community, helping federal parolees reintegrate productively and safely into society. St. Leonard's House in Windsor has served the community and practiced restorative justice for over 50 years; in fact, we have the distinction of being the first federal halfway house in Canada. And yet, during our time at St. Leonard's, an unexpected, unseen, and often ignored victim group was emerging; they were suffering silently and alone.

If one considers the word 'victim', there are numerous emotions and connotations associated, and rightly so. A sense of injustice, anger, betrayal, brokenness, fear, loss, and grief are just a few of the feelings evoked by victimization. This is not to say that it is good to stay in the place of victim, but simply speaks to the reality of the offense: where there is crime, there will be harm, and where there is harm there will be victims; but where there are victims there can also be victors. Neither 'crime' nor 'victim' should be the final words on the matter.

What about 'mother', 'daughter', 'sister' or 'wife'? What further feelings surface in relation to victimization? Only deeper compassion and empathy is possible when one considers the importance of family and connection, especially if these have been stolen by crime; what if, for a moment we added some addenda to these familial words:

"Mother … of the offender"

"Wife … of the charged"

"Mother … of the sexual offender"

"Daughter … of the murderer"

How do our feelings change? If compassion remains, is it mixed with suspicion or judgment? Do we say, "something must be wrong with her if she chose to marry a man like him?" Do we think, "What kind of mother raises a child to do those things?"

Both I and Chaplain McLaren discovered that the families of offenders often live in an emotional and mental prison, as if they were charged and sentenced alongside their loved one.

There is only one problem- they did not commit the crime.

Nonetheless, the families of offenders take on the stigma of crime, the shame of the offense, large financial burdens, while facing an overwhelming judicial system. Those closest to an offender become community pariahs, and even experience rejection by their own immediate or extended family. The unique position of these tertiary victims places them in a space where they often suffer alone and in silence, disallowed out of guilt, to work through their own grief over the person they thought they knew.

"I hate this man that I love", said the spouse of a sexual offender. Her words are an apt description of the paradox one faces when confronted with the crimes of a family member.

These discoveries and conversations became the foundation of the Mothers and Spouses of Offenders Support Group. An average of 8-12 women gather every other Wednesday to support, encourage, and talk through the thoughts, feelings, and questions of having a loved one in prison.

We have three simple guidelines for our gathering: (1) confidentiality, (2) non-judgment, and (3) personal ownership. Confidentiality speaks to the importance of building trust and safety in the light of the sensitive information shared during group. Non-judgment is important when creating a safe and inclusive space without the burdening of further shame. Lastly personal ownership covers the method of group as self-directed and an invocation for the women to care for one another. Our role as the group's facilitators is to welcome, guide, answer questions and provide a safe and hopeful place for these women to journey together.

As far as we know, our group is the only one of its exact kind in Canada. How can this be when the need is so great?

The members of the group have become like a family, even calling each other "sisters". They support and love each other, cry with each other, hold each other up. They are strong individually and even more so as a community. It's an honour and a privilege to walk with them on their journeys.

"This group has been a life saver for me"
– mother of a federal offender

"I am not alone and there is hope"
– wife of a convicted sex offender

RÉSUMÉ

MOTHERS & SPOUSES OF OFFENDERS SUPPORT GROUP
Par Jen Graham, intervenante, St. Leonard's House-Windsor
et Rielly McLaren, aumônier, St. Leonard's House-Windsor

Un article captivant dont la rédaction a été motivée en partie par celui d'Eva Rucki intitulé « Support for Families of Murderers » et publié dans notre plus récente édition d'Actualités Justice, 30 (1). L'article de Rucki identifie et explique le besoin criant en matière de soutien des membres de la famille de meurtriers. Après avoir lu l'article, Jen Graham, intervenante à la St. Leonard's House-Windsor et l'aumônier Rielly McLaren ont corédigé le présent article pour dire aux lecteurs qu'ils animent ensemble un groupe de soutien pour les mères, les épouses, les filles, etc., de meurtriers et que ce groupe existe à Windsor en Ontario depuis juin 2013. Le groupe s'appelle **Mothers and Spouses of Offenders Support Group** et tient des rencontres bimensuelles à la St. Leonard's House-Windsor. Tous les deux mercredis, de 8 à 12 femmes, en moyenne, se rencontrent pour se soutenir, s'encourager et discuter de leurs réflexions, de leurs émotions et des questions qui se posent quand un être aimé est en prison. Le rôle des auteurs à titre d'animateurs du groupe est d'accueillir, de guider, de répondre aux questions et d'offrir un milieu sûr et rempli d'espoir où ces femmes peuvent cheminer ensemble.

Pour plus de renseignements, communiquer avec Jen Graham au 519-256-1878 ou visiter la page http://www.stleonardswindsor.com/#!services/ca4p.

SUPPORT FOR FAMILIES AFFECTED BY CRIME

BY LOUISE LEONARDI, CFCN Executive Director / Directrice générale RCAFD
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Email: national@cfcn-rcafd.org
www.cfcn-rcafd.org

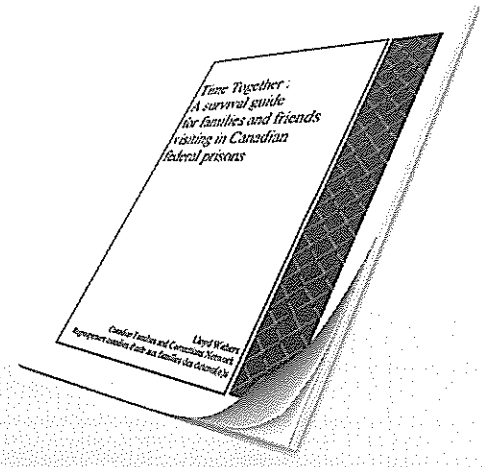
CFCN
Canadian Families and Corrections Network
RCAFD
Regroupement canadien d'aide aux familles des détenu(e)s

Canadian Families and Corrections Network (CFCN) focuses on families and children who are affected by crime, families for whom there is little assistance as they seem to be the 'forgotten society'. CFCN's mission is "to build stronger and safer communities by assisting families affected by criminal behavior, incarceration and community reintegration" and as part of our out reach to families across Canada, we run a toll-free phone line at (888) 371-2326 to allow us to support, inform and offer referrals to those friends and family members who have a loved one incarcerated. One of the most frequent questions on our toll-line is 'Do you know of a Support Group in my area?' Although there are a few groups across Canada, more often we have to respond, sadly, that there is nothing available near them. Usually the next comment is, 'I could start one, but I really have no clue where to begin'.

CFCN has acknowledged this gap and we are trying to help. With generous funding from the Women's Inter-Church Council of Canada, CFCN has developed a Support Group Guide for families and friends affected by crime. As part of the development of this guide, CFCN was in contact with known support groups across Canada and started two new groups in Toronto, Ontario in partnership with Friends of Dismas, and in Springhill, Nova Scotia in partnership with Concilio - Spring House in September 2014. The purpose of these groups is to support the community of those with a loved one incarcerated; reduce their isolation and stigmatization; increase their understanding and education about corrections; and define local community assistance. When we started the two groups, while empowering those that attended, information on startup challenges like 'What kind of a location is needed?', 'How do we find others in our area who may want to attend?', 'Is funding required and is it available?', and 'What about guest speakers?' was gathered, along with their possible solutions, to develop the Support Group Guide. Shortly, this Guide will be available to those in need across Canada through our website (www.cfcn-rcafd.org) and our toll-free support line.

Families affected by crime are calling for support and Canadian Families and Corrections Network is responding with a Support Group Guide and two new support groups that will empower family members to encourage one another, educate themselves, and talk openly during this stressful time.

Please call CFCN / RCAFD for further information, if you would like to attend a group or would like a copy of the Support Guide.



RÉSUMÉ

SUPPORT FOR FAMILLIES AFFECTED BY CRIME
Par Louise Leonardi, directrice générale,
Regroupement canadien d'aide aux familles de détenu(e)s (RCAFD) 1-888-371-2326
Courriel : national@cfcn-rcafd.ord

Les familles touchées par la criminalité ont besoin d'un appui : le Regroupement d'aide aux familles de détenu(e)s a conçu à cette fin un *Guide de groupes de soutien* et mis sur pied deux nouveaux groupes. Cela fournira aux membres des familles les outils pour s'encourager entre eux, s'éduquer et échanger ouvertement au cours de cette période difficile. Si vous désirez plus de renseignements, participer à un cours ou vous procurer un exemplaire du *Guide*, veuillez communiquer avec le Regroupement canadien d'aide aux familles de détenu(e)s au numéro sans frais: 1-888-371-2326.

CANADIAN FAMILIES AND CORRECTIONS NETWORK

FAMILIES AS DIRECT VICTIMS OF CRIME

BY LOUISE LEONARDI, CFCN Executive Director / Directrice générale RCAFD

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Having a loved one incarcerated is very challenging. Adults and children left behind are victims of the 'consequences' of crime and often ostracized and isolated in their communities feeling 'guilty by association'. They are the ones who have to deal with the loneliness, shame, anger and grief; effects of the loss of family income; and they are filled with worry and concern for their loved one who is incarcerated. Children left behind are often confused, have trouble in school and may be teased and bullied because they have a parent in jail.

It is not easy to be a family member of someone who is incarcerated. Now imagine that your incarcerated family member has been sentenced because they committed a crime against YOU! Our society puts a focus on 'stranger' or 'acquaintance' crime and yet the family is a victim in many of our most serious crimes in Canada including murder, incest, child abuse, domestic violence and elder abuse.

No one wants to think about someone in their family hurting another family member and yet it is a reality in our society. Did you know that 25% of all reported victims of violent crime in Canada were victims of family violence? And that from 2000-2010, 35% of all homicides and 59% of homicides involving children (under the age of 18) were committed by a family member? And these figures are conservative! Why? A couple of reasons are the fact that we were only able to locate violent crime statistics, so there is no information on non-violent familial crime. Also, we know that partner violence is underreported in Canada and children do not report their own victimization. So families as direct victims of crime are an unspoken reality in our country and this needed to be examined.

CFCN was appreciative that Public Safety Canada agreed and, thanks to their funding, CFCN was able to complete valuable research on the needs, characteristics and experiences of family-victims. Our primary research question was:

> **How can victim-service programs and resources adequately address the needs of family-victims, giving particular attention to the complexity of family relationships that have been disrupted by crime?**

CFCN asked Dr. Stacey Hannem, Associate Criminology Professor at Wilfrid Laurier University in Brantford to complete the evaluation of the information gathered from experts across Canada. We consulted with organizations from the fields of corrections, victim services and government including: Correctional Service of Canada, Office of the Correctional Investigator, Parole Board of Canada, Canadian Resource Centre for Victims of Crime, the National Associations Active in Criminal Justice, Restorative Justice, Academic Research, and Victim Services. Their focus was not to be reflective of any particular type of crime (e.g. domestic violence) but to be broad enough in scope to offer insights around all familial crime across Canada. Then we spoke with Ontario victim-serving agencies that family-victims would be drawn to for services. We interviewed St. Leonard's Society, the John Howard Society, the Salvation Army, the Elizabeth Fry Society, F.E.A.T. for Children of Incarcerated Parents, Friends of Dismas, Mennonite Central Committee, Community Justice Initiatives and many others working in the areas of domestic violence, elder abuse, counseling and support for victims. And, most importantly, we spoke to actual Family-victims to add the value of experienced reality.

What did they tell us? While family-victims share many of the same needs as non-family victims, there are considerations that set them apart. Family-victims shared that they did not feel understood by many front line workers delivering victim services. They carried a sense of blame and guilt and felt torn between their hurt and anger over their victimization, and their family bond with the offender. Participants pointed out repeatedly that if even one victim service worker at the court, police, and community organization or corrections level treated them with respect and legitimized their feelings as a family-victim, it reduced their trauma.

And we learned that no one is keeping data! When we asked "What percentage of your clients would fit our definition of 'family-victims'?", we received no answers except in cases where the organization's mandate was to serve family victims (e.g. 100% of clients at a domestic violence agency are family-victims). But no one else knew how many family-victims they were serving. And further, when we asked for statistics on how many family-victims wanted to maintain a relationship with the offender, we received no response. No one is tracking this data as

a way to design programming and offer effective service delivery to this target group. As one interviewee said:

> **"Our silence is the result of your question, because it's profound. I think what we're doing is reflecting on our practice and we are identifying that there are areas where we have not necessarily provided a strong focus, so that's something we want to talk to you about. And that's that awareness piece."**

What about the services? For many of the organizations we interviewed, this was the first time they were challenged to consider the impact of the family relationship between the victim and the offender. We are used to polarizing these two labels, forgetting that one could stand in between, affected by both. So we were unable to locate victim services that were designed for family-victims or even those that took them into consideration. Further, services were limited and even denied to victims who wanted to maintain a relationship with their family-member/offender, even in domestic violence cases. As one person stated:

> **"I also know other situations where myself or other victims have genuinely forgiven and do feel a capacity to have a continued relationship with this person and do feel a right to have a continued relationship with the offender. And it's not up to professionals to decide what the victim's experienced situation is or to decide what's best for that victim."**

So what were the final recommendations from the research? Certainly to document the prevalence of family-victims and their characteristics, paying particular attention to whether they chose to continue a relationship with their perpetrator. Further, we look to promote awareness of family-victim issues among victim-service providers and to make service information more available. (CFCN is trying to assist with this recommendation through training, speaking engagements and articles.) We need to develop and pilot a Restorative Justice mediated dialogue process designed for family-victims to provide victims with a voice and opportunity to discuss their issues with the offender. And we need to look at the impact of legislation on family-victims, ensure that public safety initiatives focus on evidence-based crime prevention and utilize inclusive definitions of victims of crime that do not exclude family-victims.

Read the full findings and recommendations of the project completed by CFCN and Dr. Stacey Hannem in the Final Report or a summary in CFCN's Families and Corrections Journal (Volume 17 No. 1), both available on our website at www.cfcn-rcafd.org.

RÉSUMÉ

CANADIAN FAMILIES AND CORRECTIONAL NETWORK -FAMILIES AS DIRECT VICTIMS OF CRIME

Par Louise Leonardi, directrice générale, RCAFD

Cet article se penche brièvement sur une étude menée par le RCAFD auprès de plusieurs intervenants gouvernementaux et autres portant sur une catégorie de victimes souvent oubliées dans leur discours conventionnel, en l'occurrence les personnes victimisées par un membre de leur famille. L'auteur remet en question l'accent mis par la société sur les crimes commis par des inconnus, alors que bon nombre des crimes les plus graves commis au Canada le sont par des membres de la famille. Les familles mettre en évidence des problèmes systématiques, tant au sein d'organismes communautaires que de services correctionnels, qui contribuent à perpétuer un traitement irrespectueux et qui font fi ou ne reconnaissent pas les droits de ce groupe de victimes d'avoir des sentiments discordants, d'avoir des problèmes et de vivre des traumatismes. Les participants ont souligné de manière répétée que dès qu'un travailleur d'un service d'Aide aux victimes à la cour, au sein d'un service de police, d'un organisme communautaire ou d'un service correctionnel les traite avec respect et accorde de la légitimité à leurs sentiments en tant que victime d'un membre de la famille, leurs traumatismes sont alors amoindris. Leonardi insistesur la nécessité de promouvoir une sensibilisation aux enjeux relatifs aux victimes au sein de la famille chez les fournisseurs de services compétents et de rendre l'information plus accessible. Au nombre des autres recommandations ressortant de cette étude, l'auteur souligne la nécessité d'évaluer l'impact des lois, de soutenir une prévention de la criminalité fondée sur des faits et d'adopter des définitions inclusives de victimes d'actes criminels.

PLEASE SEND ANY REMARKS, OR A COMMENTARY, REGARDING THIS ARTICLE

to *Justice Report* Editor, Nancy Wright:

ccjapubsacjp@gmail.com

and keep your eye out for the Notices/Feedback section in future issues!

VEUILLEZ ADRESSER TOUT COMMENTAIRE RELATIF À CET ARTICLE

à l'éditrice de l'*Actualité-Justice*, Nancy Wright :

ccjapubsacjp@gmail.com

Demeurez à l'affût de la section Avis/commentaires dans les numéros à venir.

CANADIAN FAMILIES AND CORRECTIONS NETWORK

THE MENTAL HEALTH EFFECT OF CRIME ON THE FAMILY

BY LOUISE LEONARDI, CFCN Executive Director / Directrice générale RCAFD

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When we talk about Mental Health in corrections, we usually mean the mental health of the inmates. But what about the mental health of their families? What effect is crime having on them, on their wellbeing? CFCN, in partnership with Public Safety, undertook a research project on the '*Mental Health Effects of Crime on the Family*' in the fall of 2014. We consulted with families all across Canada and, in partnership with Dr. Stacey Hannem, Associate Criminology Professor at Wilfrid Laurier University, studied questions such as what mental health issues are experienced by family members when a loved one is involved in crime? What resources are used (family doctors, counselling and support groups)? How do adults and children on the outside cope? Are there any long term effects? Does the offending family member on the inside show any understanding or accountability for this issue? And, importantly, do these mental health issues lead to other problems for the outside family members such as drugs and alcohol and is it a risk factor for their criminality and our public safety?

So what did we learn? First we discovered there is no Canadian literature specifically on the subject of mental health concerns faced by families of offenders, so this research is groundbreaking for our country.

Who did we talk to? We covered a wide range of ages of both genders from all across Canada. Most had been involved in the criminal justice system because of their family member for some time, with almost 60% indicating that their family member was still incarcerated. For 37.2% of those surveyed, this was an incarcerated husband/ex-husband and for 35.8% a son and almost 90% of these family members were still in contact with their inside person, most traveling great distances to visit.

The key instrument used to evaluate the current state of their mental wellness was the ALERT Mental Wellness Assessment scale - a 15 item scale measuring symptoms (anxiety and depression), functioning, and well-being/efficacy. What we discovered might surprise you. Family members affected by crime and incarceration in their family experience significantly more distress, on average, than we would expect from a random sample of community members and scores much closer to a clinical sample (those seeking psychological counseling for mental distress). Unfortunately, these innocent family members are stuggling – and struggling greatly. The majority of respondents did not report prior chronic mental health concerns or a mental health diagnosis at the time of their loved one's in the criminal justice system, but these measures increased over time.

As one family member told us:

Well, I mean, it's very, very, difficult. Just because someone does something wrong, you don't stop loving them. You can't make yourself stop loving a person, no matter what they do, whether it's good or whether it's bad. So, as their journey escalates, you're taken along on their journey too. And no matter how bad it is or how good it is, you are part of it. So it affects every facet of your life. It affects you in every way.

This is very distressing. 57% of our families surveyed disclosed that they worry 'a lot' for the safety of their family member while he/she is incarcerated, 79% reported feeling stigmatized in their community, and 63% feel community isolation.

How are these family members coping? Some are using positive mechanisms such as exercise (46.9%), peer support (40.6%), journaling/writing (39.8%), religious practice/prayer (39.1%), and meditation (31.3%). Some are visiting their family physician (54.6%), counselors (57.1%) or peer support (54.6%), which had the highest satisfaction level.

What else are they doing? Some family members are attempting mechanisms that are not so positive such as prescription medication (36.7%), smoking (23.4%), alcohol (17.2%), eating disordered behaviour (18.9%), prescription misuse (9.4%), and self-harm (7.1%). And some are using illegal mechanisms such as street drugs (6.3%), and have broken the law to provide for their families (4.7%). One has to ask, is crime causing more crime?

And what about other support systems? While 73.7% of family members affected by crime found their relationships with their family members were negatively affected by what happened, 84.3% felt their family was supportive of their situation. 88.4% found care from their friends. 89.6% felt that their relationship with the person involved in crime was positive, with most saying their offender understood the effects of his/her crime on their family.

There is no question that it is devastating to have a loved one involved in crime and that innocent family members and children need our assistance. Our recommendations from this research include respecting the dignity and needs of everyone involved with Canadian institutions, creating 'family-friendly' visiting centers, more peer support groups for family members across the country (and online) and support services for children. Further, we feel there should be resources created by police, courts, corrections, etc. for families at each stage and a family liaison officer to assist them.

This research is invaluable. It helps us establish what needs to be done to assist families affected by crime, help them cope and enable them to move ahead, to support one another. It helps to strengthen Canadian families as key partners in the correctional system.

For further details about this research, see the full Final Report or a summary (*CFCN Family and Corrections Journal* 18 Number 1) on our website at www.cfcn-rcafd.org. For affected families we have also created a "Coping Over Time" resource (ideas, suggestions and advice on how to cope with having a person in your family involved in crime) downloadable on our website or available in print form.••

RÉSUMÉ

CANADIAN FAMILIES AND CORRECTIONAS NETWORK -THE MENTAL HEALTH EFFECT OF CRIME ON THE FAMILY

Par Louise Leonardi, directrice générale, RCAFD

Cet article présente certaines conclusions émanant d'un important projet de recherche entrepris par RCAFD, en partenariat avec Dr. Stacey Hannem, professeure agrégée de criminologie, Wilfrid Laurier University, et Sécurité publique Canada. Des familles affectées par un crime commis par un membre de leur famille de partout au Canada ont été consultées. Les réponses recueillies ont démontré le besoin de soutien pour ces victimescachées de crime. Les recommandations traitent du respect de la dignité et des besoins, de la création de centres de visite conviviaux pour les familles, du besoin d'un plus grand nombre de groupes de soutien entre pairs à l'intention des membres de familles dans l'ensemble du pays (et en ligne) et de services de soutien à l'intention des enfants. Les auteures recommandent en outre la création de ressources à l'intention des familles par les services policiers, les tribunaux, les services correctionnels et autres à chaque étape du processus, de même que le recours à des agents de liaison avec les familles.

RESTORATIVE JUSTICE: SOME VICTIMS OF CHILDHOOD SEXUAL ABUSE HAVE FOUND HEALING IN FORGIVING THE OFFENDER

BY STEFAN HORODECKYJ, BA, BEd, JD

Restorative Justice (RJ) recognizes the importance of forgiving and healing and is particularly suited to the victim-offender relationship in the Criminal Justice System (CJS). This is fortuitous, since the only goal of the Canadian CJS approach is State (society) punishing offender.

There are two schools of thought in RJ regarding victim forgiveness (Zehr 1990). The first holds it is not essential for the victim to forgive the offender in order to heal, while the second says it is essential. A significant body of evidence from victims supports this latter position, which makes careful distinctions in the relationship between the notions of 'forgiving' and 'healing' within the context of the offence of childhood sexual abuse.

Childhood sexual abuse is a global phenomenon and quite prevalent. Canadian studies show that 1:3 females and 1:6 males are sexually abused before the age of 16.

Childhood sexual abuse is a global phenomenon and quite prevalent. Canadian studies show that 1:3 females and 1:6 males are sexually abused before the age of 16. In Canada, childhood sexual abuse is defined as a form of abuse, perpetrated on a person under 16 by an adult male or female, taking the form of inappropriate touching of the child; sexual acts with the child, including intercourse; showing a child pornographic material; photographing a child in a sexual position or situations; forcing a child to engage in sexual acts with another child or adult (Bass and Davis 2008). More important, however, in terms of trauma, is that "childhood sexual abuse involves a breach of trust, a breaking of boundaries, and a profound violation of the survivor's sense of self. It is a devastating and selfish crime". **(FN#1)**

FORGIVENESS AND HEALING: THE HALLMARK OF RESTORATIVE JUSTICE

Forgiveness requires treatment and is never synonymous with absolution…

The process of forgiving does not mean the victim condones the crime; in fact, the victim often wants and needs the offender to be accountable. Also, there is no absolution of the offender by the victim. Forgiving is a conscious act of the mind, and the opening of one's heart, whereby a person releases the negative emotions and energy, including resentment, indignation, anger and sometimes even rage, towards another person, and replaces them with positive energy, liberation, emotional balance, and inner peace.

Achieving the state of forgiveness generally requires specific treatment or a combination of treatment modalities, such as psychiatric/ psychological counselling or therapy; peer support groups with other victims of childhood sexual abuse; substance abuse counselling; anger management counselling. Healing involves restoring the victim of childhood sexual abuse to the healthy state they enjoyed prior to victimization.

Experts in the field of childhood sexual abuse, as well as many victims, maintain that the child who was sexually victimized by an adult is never totally healed...

The harm experienced by the victim of childhood sexually abuse is often horrific, life altering, and may cause anxiety disorders, major depression, dissociative behaviour, and addictive behaviour; substance abuse is used by some victims to numb and temporarily cope with the emotional pain, post-traumatic stress disorder, anger management issues, personality disorders and even suicidal thoughts. These psychiatric disorders have the collateral effect of drastically diminishing the victim's quality of inter-personal relationships with family, friends, employers, and colleagues and thus also their ability to actively participate in society. Research shows that quality of life is dramatically altered for victims of childhood abuse and remains so, unless effective treatment is obtained (Wilken 2008). From the RJ approach, forgiveness is part of the lengthy healing process.

In the case of a victim of childhood sexual abuse, forgiving can be part of the victim's healing cycle...

The healing cycle for a victim of childhood sexual abuse progresses from his or her denial of the criminal sexual behaviour, to confused awareness regarding the crime, acknowledgement of the offence, self-blame, depression/grieving (victim stage), anger and possible feelings of hate and revenge towards the offender (victim stage), and then to reaching out for help, clarifying feelings and emotions (survivor stage), forgiving the offender, reconciliation/resolution, and moving on in life (thriver stage) (**FN#2**). It is noteworthy that the different survivors go through these stages in different ways, some only once, some many times, sometimes in one order, sometimes in another (**FN #3**).

Forgiving for victims of childhood sexual abuse is not an easy process, and it is known that some children and adults are more resilient than others. As Mahatma Gandhi stated, "The weak can never forgive. Forgiveness is the attribute of the strong" (**FN #4**). Forgiving the sexual offender is a lengthy process that requires resilience, hard work, perseverance, calmness and commitment on the part of the victim. It is important for the victim to know that he/she should not attempt to forgive the offender until the victim is emotionally ready, otherwise the efforts can back fire. This means that the victim must work his/her way through the various stages of the healing cycle, as noted above.

THE THREE MAIN STAGES OF FORGIVENESS

1. *The victim must separate the crime from the worthiness of the offender.*

It is important for the victim to view the offender as a human being. The victim ideally should buy into the philosophical tenet regarding the sacredness of every person, without condoning the sexual abuse. Besides committing a sexual offence against a child, the offender is also someone's son or daughter, father or mother, brother or sister, etc. Such perpetrators have also been a priest, teacher, sports coach, scout master, etc., which is why the victim should avoid judging and labelling the offender as being just a child predator, or an evil person or the like (**FN #5**).

Also, the relationship between the child sexual offender and the victim should ideally be governed by restorative values such as respect/dignity, honesty, trust, humility, sharing, collaboration, and support. All of these values are interrelated, with respect/dignity being the most important. If the victim experiences these positive values in his/her relationship with the offender, then it is much easier to focus on the worthiness of the offender (**FN #5**).

Reconciliation and resolution between the child sexual abuser and the victim is desirable whenever possible

This might be realistic in the case of the parent being the offender and his/her child being the victim and involves a lengthy ongoing process. In this scenario the offender's humanity can be showcased for the victim (**FN #5**). *However, it should be noted that in some cases where the sexual abuse was so devastating, that in order to heal, the victim's and offender's paths should never cross again, since this would only result in re-traumatization for the victim.*

2. *The victim must not seek revenge, rather, the victim must take the high road and strive for personal growth.*

The victim of childhood sexual abuse must be brought to see that revenge towards the offender prolongs the negative relationship with the abuser and furthers the emotional, mental, physical and spiritual suffering by the victim and his/her family. Revenge makes forgiving and healing untenable for the victim. As Confucius said, "When you seek revenge you dig two graves".

Healing the Inner Child

Taking the higher road and striving for the ability to forgive; healing and personal growth by the victim means that the 'inner child' of the victim must be healed. The inner child is our spontaneous, creative, compassionate, trusting and growing self (**FN #6**). To heal the inner child, the victim's needs must be addressed; these include the victim's need for safety and security- to hear directly from the offender that he/she will not re-traumatize the victim; the need to trust others, which might include the child sex offender; the need to feel empowered and to be in control of his/her life; the need to trust his own feelings and develop a healthy self-esteem; the need to feel positive emotions, especially compassion and love; the need to develop healthy attachments/boundaries with people; the need for vindication; the need to know what was going on in the sex offender's life when he/she committed the sexual offence(s); the need to know why the offender chose the victim as the target of his criminal behaviour; the need to have the offender show remorse; the need to feel that justice was done; the need to vent to those the victim trusts and to the offender if possible.

Further, forgiving is the letting go of 'fear' and accepting anew the possibility of 'loving' and 'trusting' in appropriate relationships (**FN#7**). Fear is a negative emotion manifest in the victim's frustra-

tion, confusion, anger, conflict, depression and illness. Also closely connected to fear and acceptance of love by the victim, is the nonsensical but real syndrome by which victims of childhood sexual abuse come to blame themselves for the sexual violations endured. Treatment should thus involve helping the child establish and maintain a positive self-image throughout the process of forgiving and healing. When a child is sexually abused by an adult the child is never responsible. The child is too young to understand and deal with the act(s) and trauma resulting from sexual abuse. The victim must understand and accept these truisms in order to heal and also that nothing and no one can change past childhood sexual abuse. The past is the past, and the victim must focus on the present in order to move forward on the journey of forgiving and healing.

For some victims of childhood sexual abuse spirituality is an important part of the healing process

Spirituality is the faith in a higher power, whether it is part of a structured religion or part of the victim's personal belief system. Faith in a constant higher power can provide the stability, love and forgiveness necessary for healing.

As well, the victim must have hope during the long and arduous process of forgiving and healing. To quote Scottish author Samuel Smiles, "Hope is like the sun, which, as we journey towards it, casts the shadow of our burden behind us".

Finally, the victim, especially in cases of childhood sexual abuse, must strive for personal courage. Courage is the ability to acknowledge and voice one's fears and vulnerabilities and to move on to accomplishing great things. This courage involves the frequent use of affirmations. For example, the victim tells him/herself that: I have the strength to do everything I set my mind to; I can make every day a positive day; I can become the person I want to be; I am a good person who deserves to be respected and loved, etc. Courage is transformative, in that it has the effect of freeing up a victim on the emotional, mental, physical and spiritual levels and thus facilitating forgiving and healing. This is especially important for victims of childhood sexual abuse.

3. *The victim must develop and nurture empathy for the offender.*

Empathy can be defined as putting oneself in the offender's 'shoes'. This means the victim makes a concerted effort to understand who the offender is as a person, i.e., his/her life journey, especially the hardships experienced by the offender, which could also have included child sexual abuse. Empathy is probably the most difficult thing for the victim to achieve in the forgiving process, since it requires the victim to develop a selfless, caring and compassionate manner towards the offender. To develop empathy, the victim must view the sex offender as emotionally ill and also in need of treatment.

In summary, this article discusses a school of thought in which the RJ principle of the victim forgiving the offender is the key to the victim's healing. The 3 major components of forgiving that I examined in this article are: the victim must separate the crime from the worthiness of the offender; the victim must not seek revenge, rather, as part of treatment, the victim comes to see and get on the high road, which is the route to personal growth; and the victim must develop and nurture empathy for the offender, who may well themselves have been the victim of childhood sexual abuse.••

FOOTNOTES

FN #1: Laura Davis, Allies in Healing, Harper Collins Publishers, 1991, pg. 13.

FN #2: Tom Wilken, Rebuilding Your House of Self-Respect: Men recovering in group from childhood sexual abuse. Hope Healing Associates, 2008.

FN #3: Ibid, pg. 29.

FN #4: Lewis Fisher, The Essential Gandhi: An Anthology of His Writings in His Life, Work and Ideas.Vintage Spiritual Classics, 2002, pg. 55.

FN #5: Prison Fellowship International World Conference. Toronto, 2011

FN #6: Charles L. Whitfield, Healing The Child Within. Health Communications Inc. 1987, pg. pg. 3.

FN #7: Gerald G. Jampolsky, Love Is Letting Go of Fear. Celestial Arts, 1979.

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RÉSUMÉ **RESTORATIVE JUSTICE: SOME VICTIMS OF CHILDHOOD SEXUAL ABUSE HAVE FOUND HEALING IN FORGIVING THE OFFENDER**

Par Stefan Horodeckyj, B.A., B. Ed., J.D.

L'avocat Stefan Horodeckyj plaide en faveur d'un modèle de justice réparatrice dans lequel la notion de pardon est la clé de la guérison pour certaines victimes d'agression sexuelle pendant l'enfance. Horodeckyj avance que les agressions sexuelles pendant l'enfance sont un phénomène très répandu dans le monde et il surprend avec des statistiques canadiennes indiquant que 1 femme sur 3 et 1 homme sur 6 sont victimes d'agression sexuelle avant l'âge de 16 ans. Il dit aussi que pour arriver à pardonner de telles agressions il faut avoir recours à une gamme de traitements précis, par exemple : des consultations ou des thérapies psychiatriques et psychologiques, des groupes de soutien, des services de counseling pour l'abus d'alcool et de drogues, des services de gestion de la colère ou de soutien spirituel, etc. Horodeckyj note qu'être victime d'une agression sexuelle pendant l'enfance diminue considérablement la qualité des relations interpersonnelles d'une personne. Bien qu'on estime qu'une guérison complète n'est pas possible, l'auteur constate que plusieurs victimes ont prouvé de façon significative que le pardon les a aidés à se rapprocher davantage du mode de vie sain qui était le leur avant l'agression. Selon Horodeckyj, ce processus est long et exige des traitements particuliers, mais le pardon c'est se libérer de la « peur » et accepter de nouveau qu'il soit possible « d'aimer » et « de faire confiance » dans une relation appropriée.

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Social reintegration services for men and women
Services de réinsertion pour hommes et femmes

Incarcération et vieillissement: POUR UNE PLANIFICATION STRATÉGIQUE

PAR MICHEL GAGNON, Directeur général de la corporation Maison Cross Roads

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Les personnes âgées incarcérées sont habituellement regroupées en trois grands groupes de détenus. Ceux qui sont incarcérés à un âge avancé, les multi récidivistes qui ont fait des séjours répétés en pénitenciers et les personnes qui purgent de longues peines et qui ont vieilli en pénitencier - Baidawi

Au Canada, près de 23% des personnes judiciarisées du réseau correctionnel canadien sont âgées de plus de 50 ans. En 2012, Human Rights Watch expliquait que la clientèle âgée de 65 ans et plus aux États-Unis avait augmenté 94 fois plus rapidement que le reste de la population carcérale entre 2007 et 2010. Au Canada, l'Enquêteur correctionnel notait pour sa part qu'au Canada, les détenus de 50 ans et plus avaient doublé depuis les dix dernières années (2003-2013). Cette croissance de plus en plus importante au Canada, comme aux États-Unis et en Australie, est souvent qualifiée d'épidémique dans les écrits sur ce sujet.

Les groupes de personnes incarcérées de 60 à 70 ans et de 70 et plus continueront eux aussi à progresser de façon exponentielle

Cette tendance à la hausse pourrait d'ailleurs faire en sorte que 30% de personnes que nous incarcérons aient plus de 50 ans d'ici les prochaines années (Aday). Cela voudrait inévitablement dire que les groupes de personnes incarcérées de 60 à 70 ans et de 70 et plus continueront eux aussi à progresser de façon exponentielle. Depuis les 10 dernières années, on a d'ailleurs observé que le groupe des personnes incarcérées de 55 ans et plus avait augmenté de 181% aux États-Unis, que le groupe des 60 ans et plus avait augmenté de 128% en Grande-Bretagne et que le groupe des 65 ans et plus avait augmenté de 140% en Australie.

15% des personnes âgées (50 ans et plus) incarcérées au Canada soient d'origine autochtone

Personne ne sera surpris d'apprendre que la plupart de ces personnes âgées incarcérées sont des hommes (97%) dans la plupart des pays que nous avons recensés. Non obstant cette donnée, on remarque en Australie que le nombre de femmes âgées de 50 ans et plus avait cependant plus que triplé de 2000-2010 - une augmentation de 222% (Baidawi). Nous n'avons pas de données précises sur la situation des femmes incarcérées âgées au Canada, mais nous ne serions pas étonnés que la situation soit comparable. Le fait que 15% des personnes âgées (50 ans et plus) incarcérées au Canada soient d'origine autochtone gagnerait aussi à être mieux documenté.

Et non, ce vieillissement des populations carcérales ne semble pas principalement rattaché au vieillissement de la population en générale ou à une augmentation significative du passage à l'acte de certaines personnes plus âgées (Baidawi). Les raisons principales qui expliqueraient le vieillissement de la population carcérale auraient plus à voir avec la longueur des peines décernées et le fait que les conditions de libération conditionnelle sont de plus en plus restrictives et dès lors plus difficiles à obtenir (The Economist).

Toutes sortes de problèmes de santé mentale...

La population carcérale au Canada est de plus en plus âgée et donc confrontée à toutes sortes de difficultés dont on se souciait peu il y a quelques années de cela. Les recherches sur ce groupe de personnes âgées suggèrent que pas moins de 40 à 50% des personnes âgées incarcérées éprouvent des problèmes de santé mentale (Baidawi, Aday). On pense ici à toutes sortes de problèmes de santé mentale, dont ceux de la dépression, des idéations suicidaires, de l'automutilation, du sentiment d'isolation sociale, de l'institutionnalisation, de l'hypervigilance, du distanciement psychologique et de certaines formes de stigmatisation dont on parle encore peu (Munn). À ces difficultés s'ajoutent les problèmes de détérioration de la mémoire, les troubles de comportement associés à la démence ou autres maladies dégénératives.

Toutes sortes de problèmes de santé physique...

Les problèmes de santé physique des personnes âgées incarcérées dans nos pénitenciers sont eux aussi plus prononcés qu'ils ne le sont pour le reste d'entre nous qui sommes du même âge. Ces personnes sont en moins bonne santé pour toutes sortes de raisons: elles avaient peut-être, avant d'être incarcérées, des comportements qui les plaçaient à risque (tabagisme, usage d'intoxicants, mauvaises diètes alimentaires, etc.); elles ne recevaient pas de soins médicaux adéquats avant l'incarcération; la vie en prison leur a été (une diète alimentaire mal équilibrée, un manque d'exer-

cice, la prévalence de certaines maladies infectieuses, diverses formes de stress liés à la vie en prison et le stress associé au fait que plusieurs de ces personnes ont elles-mêmes été victimes de sévices pendant leur enfance, etc. (Aday).

Fauteuils roulants, de marchettes de toutes sortes et de bonbonnes d'oxygène

Un nombre de plus en plus grand de personnes incarcérées se déplace à présent à l'aide de fauteuils roulants, de marchettes de toutes sortes et de bonbonnes d'oxygène et plusieurs ont besoin d'assistance afin de se vêtir, d'aller aux toilettes et de se laver. Un bon nombre d'entre elles souffrent de maladies chroniques ou sont en fin de vie. Le National Institute of Corrections aux États-Unis a déterminé que l'arthrite, l'hypertension, les maladies liées au système digestif, à la prostate, aux maladies cardiovasculaires, au diabète, à l'hépatite C et au cancer sont les maladies chroniques les plus communes parmi les personnes âgées incarcérées. En fait, près de 45% des personnes incarcérées âgées de 50 et plus et 82% des personnes âgées qui sont âgées de 65 et plus éprouvent des problèmes de santé chronique (Aday).

Personnes âgées incarcérées seront plus à risque de souffrir de démence

McCarthy et Rose (2013), nous préviennent qu'un nombre grandissant de ces personnes âgées incarcérées seront plus à risque de souffrir de démence et autres maladies dégénératives que le reste d'entre nous parce qu'elles étaient déjà plus à risque avant l'incarcération, mais aussi parce qu'elles auraient souffert de diverses formes de violence (sévices crâniens) avant et pendant l'incarcération.

On comprendra, sans même soulever la question des coûts du maintien en pénitencier des personnes âgées de 50 ans et plus, que plusieurs croient être au moins trois fois supérieurs à ceux des plus jeunes détenus, qu'il n'est plus possible d'ignorer l'ampleur et toutes les ramifications que prend ce phénomène pour l'ensemble du réseau correctionnel.

AUX ÉTATS-UNIS, LES INITIATIVES DE TOUTES SORTES...

C'est d'ailleurs en réponse à cette constatation que plusieurs états américains ont mis quelques initiatives de l'avant qui mériterait peut-être d'être importé au Canada. En Californie, par exemple, des unités carcérales spécialisées ont été mises en place afin de mieux satisfaire les besoins des détenus ayant de la difficulté à se vêtir, à utiliser les toilettes et à se laver de façon autonome. Pour sa part, le California Men's Colony offre des services spécialisés aux détenus souffrant d'Alzheimer et autres formes de démence. Il est aussi question de permettre à certains détenus ayant reçu les formations requisesd'apporter leur aide aux détenus plus âgés en difficulté. Ces détenus bénévoles seraient de ce fait en mesure de mener des activités d'exercice physique conçues pour les personnes âgées et d'autres favorisant le maintien des opérations de la mémoire (OLR Research Report). Au Canada, des discussions sur ce type de formation ont déjà été débattues dans les années 1990. Ces formations auraient permis à certains des détenus de recevoir une formation de préposé aux bénéficiaires qui leur aurait permis d'aider d'autres détenus et ainsi leur donner une expérience de travail qui leur aurait été utile à la sortie du pénitencier.

En Floride, des camps de travail (River Junction Work Camp), à partir des pénitenciers à sécurité minimum et moyenne, ont aussi été créés afin de permettre aux détenus plus âgés d'être en mesure de travailler (OLR Research Report). On parle également dans cet état, d'unités de soins spécifiquement conçues pour les personnes âgées et ceux qui sont en fin de vie (unités de soins palliatifs F-Dorm du Centre de réception de South Florida).

En Louisiane, le Louisiana State Penitentiary a une entente de service avec l'University Hospital Community Hospice qui lui permet de mieux desservir les personnes âgées incarcérées. Cet établissement hospitalier offre des services-conseils sur les détenus âgés incarcérés et procure, sans frais au réseau correctionnel, des formations au personnel du pénitencier ainsi qu'à certains détenus. Une équipe de détenus bénévoles a d'ailleurs reçu une formation qui leur donne les habiletés requises afin qu'ils puissent accompagner les personnes âgées incarcérées qui sont en fin de vie. Au Québec certains intervenants-accompagnateur du Service Option Vie avaient reçu une formation similaire (Albatros) et offraient ce type d'accompagnement dans certains pénitenciers du Québec. Le Service Oxygène pour personnes âgées incarcérées et en libération conditionnelle offre ce type de service dans la communauté à partir de son réseau d'appartements satellites.

Au Nevada, des programmes spécifiquement conçus pour les délinquants âgés ont pour objectifs de contribuer à laréhabilitation, l'amoindrissement des pertes cognitives, l'amélioration ou le maintien de la condition émotionnelle et physique, la gestion des médicaments et la réinsertion sociale en communauté des personnes âgées en pénitencier. Un autre programme (Structured Living Program) incite les personnes âgées incarcérées à participer à toutes sortes d'activités thérapeutiques, récréatives et de maintien des habiletés cognitives. Parmi les objectifs principaux recherchés, la réduction des comportements délinquants et l'accroissement du sens des responsabilités chez les participants (OLR Research Report).

Dans l'État de New York, au Fishkill Correctional Facility, une unité spécialisée pour les personnes ayant des difficultés cognitives offre des services aux détenus souffrant de démence ou autres maladies dégénératives du cerveau. En Virginie où le nombre de détenus âgés a septuplé de 1990 à 2010, plusieurs sont incarcérés au pénitencier Deerfield Correctional Center qui a été construit sur un seul étage afin de permettre aux détenus âgés ayant des problèmes de mobilité de bénéficier des mêmes services que les autres détenus. Des véhicules adaptés pour personnes en fauteuils roulants sont aussi utilisés de façon courante à cet établissement. Ce pénitencier a pris tellement d'expansion au cours des dernières années que des discussions ont à présent lieu sur la pertinence de construire dans l'enceinte de l'établissement un centre médical où il serait possible d'offrir des services de chirurgie, de radiologie, d'oncologie, de dialyse et de physiothérapie.

Les initiatives de toutes sortes sont donc tentées aux États-Unis et ailleurs et il serait étonnant que des initiatives similaires ne seraient pas également examinées au Canada.

Il faut bien en convenir, la situation des personnes âgées dans le contexte de l'incarcération pose un défi très complexe. Cela étant reconnu, il faut tout de même se demander si le retard que nous mettons à relever ce défi au Canada n'a pas certaines similitudes avec les retards que nous avons mis à prendre en considération la réalité particulière des femmes incarcérées, puis la réalité des hommes et femmes des communautés autochtones et puis, plus récemment, la réalité des personnes aux prises avec des problèmes de santé mentale…

Peut-être se dit-on qu'il n'est pas nécessaire de se donner une stratégie particulière pour les personnes âgées incarcérées puisqu'il se donne déjà des services de santé physique et mentale en pénitencier… Peut-être se dit-on aussi qu'il suffit que les agents correctionnels, les agents de programmes, le personnel infirmier, les intervenants communautaires, les gardiens, etc., aient une certaine 'sensibilité' à l'égard de ce groupe de personnes détenues ou en libération conditionnelle pour être en mesure de bien comprendre tous les enjeux liés au vieillissement et à l'incarcération prolongée du quart de sa clientèle...

Ce manque de planification stratégique n'est pas seulement déplorable pour ce qu'il occasionne chez les personnes âgées judiciarisées, sur les coûts exorbitants que ce manque de planification entraîne pour les contribuables, mais aussi sur l'impact qu'il a sur le personnel des divers réseaux correctionnels. Frustrant et démobilisant, ce manque de planification stratégique pourrait à plus ou moins long terme mener au désengagement et à l'épuisement professionnel de plusieurs.

Il serait étonnant que le réseau correctionnel canadien n'ait pas déjà une bonne idée des défis que posent près de 23% de sa propre clientèle et il est à espérer que l'information déjà rassemblée va au-delà du simple dénombrement et du catalogage. Afin de bien circonscrire les enjeux auxquels cette clientèle fait facesans doute aura-t-on pensé s'associerà des experts en gérontologie et gériatrie.

Peut-être que le réseau correctionnel s'est déjà donné certaines priorités quant à l'orientation à donner à une stratégie correctionnelle. Une de ces priorités chercherait sans doute à privilégier des façons de faire qui favoriserait le déclassement sécuritaire en cascade et la réinsertion sociale la plus rapide possible des personnes âgées judiciarisées. Il serait en effet dommage que la solution privilégiée au phénomène du vieillissement des populations carcérales se fasse surtout en fonction de la construction à grands coûts d'unités de soins gériatriques et de centres hospitaliers carcéraux. Tout devrait être fait pour favoriser le déclassement des personnes âgées avant que la santé physique et psychologique de ces personnes ne se détériore davantage. Comme nous le disions plus haut, il faudrait retenir dans l'élaboration d'une stratégie correctionnelle que le vieillissement des populations carcérales est principalement lié à la longueur des peines décernées et le fait que les conditions de libération conditionnelle sont de plus en plus restrictives et difficiles à obtenir.

Sans doute, pour conclure, que le réseau correctionnel est déjà à prendre la mesure de ce qui se fait déjà dans nos établissements carcéraux et la communauté; nous sommes sans doute aussi sur le point de souligner, célébrer et partager les meilleures initiatives que le personnel du réseau correctionnel (fédéraux, provinciaux et communautaires) a déjà mises de l'avant. Peut-être que l'étalage de ces meilleures pratiques nous permettra de voir comment s'y prenne en ce moment les agents de gestion de cas, les gardiens, le personnel assigné aux programmes et aux activités sociales, les équipes d'entretien des bâtisses, le personnel assigné aux escortes et ainsi de suite, pour répondre aux besoins des personnes âgées incarcérées. Peut-être sommes-nous sur le point d'embaucher du personnel spécialisé en gériatrie et en gérontologie et peut-être sommes-nous aussi sur le point de mettre à profit les ressources humaines qui manifestent déjà de l'intérêt pour cette question, mais aussi à permettre à ces personnes de peaufiner leurs connaissances sur cette problématique.••

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ABSTRACT

INCARCÉRATION ET VIEILLISSEMENT : POUR UNE PLANIFICATION STRATÉGIQUE

By Michel Gagnon, Director General, Corporation Maison Cross Roads

Michel Gagnon raises a flag on the immediate need for strategic planning regarding pressing issues facing the Canadian carceral system and aging prisoners. To demonstrate the point, Gagnon evokes images of incarcerated elderly people navigating prisons in wheelchairs, wearing oxygen tanks, needing assistance in the bathroom, and/or having high blood pressure, prostate problems, digestive problems, diabetes, cancer, Hepatitis C, etc. Painting a vivid picture of an epidemic of global proportion, Gagnon reports that the risk of health problems is increased among the incarcerated due to lifestyles that have put them at greater risk and the lack of appropriate healthcare. Once in prison, an unbalanced diet, lack of exercise, prevalence of STDs and numerous forms of stress also take a toll, which for some inmates is intensified by past histories of victimization, making matters worse. Gagnon discusses a host of US initiatives designed to meet the needs of its aging prison population and questions Canada's relative lack of the like in spite of her own aging prison population. Noting that the dire need for solutions to this complex situation is well recognized, Gagnon fears these delays are reminiscent of similar delays in finding effective solutions to critical issues regarding incarcerated women, aboriginal people and, more recently, overwhelming mental health needs within the general prison population.

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WEDNESDAY, SEPTEMBER 30th **MERCREDI 30 SEPTEMBRE**

9h00 - 16h30 PTSD: First Responders Workshop | TSPT : Atelier pour les Premier Répondants

9h00 - 16h15 Congress Registration opens | Inscription au Congrès

18h00 - 19h00 CCJA Awards Presentation | Remise des Prix de l'ACJP

19h00 - 21h00 Opening Reception | Réception d'ouverture

THURSDAY, OCTOBER 1st JEUDI 1er OCTOBRE

8h15 - 9h00 Congress Opening Ceremony | Céremonie d'ouverture

9h00 - 10h00 Keynote Panel Presentation | Conférenciers d'honneur
JUSTICE AT THE CROSSROADS: THE CHALLENGES FACING JUSTICE REALITIES IN A RAPIDLY CHANGING ENVIRONMENT.

10h00 - 10h30 Coffee Break and Exhibits | Pause santé et kiosques

10h30 - 12h00 Plenary session | Atelier de travail : VIOLENCE, TRAUMA AND RECOVERY
Presenter | Présentateur : **Paul Gillespie** - Internet and Child Exploitation Presenter | Présentateur : **Duane Bowers**

12h00 - 13h30 Lunch | Diner

13h30 - 14h30 Plenary session | Atelier de travail : THE PROMISE AHEAD
Presenter | Présentateur : **Dr. Anthony Doob**

14h30 - 15h00 Coffee Break and Exhibits | Pause santé et kiosques

15h00 - 16h30 Breakout sessions | Ateliers de travail :

1. **Ona Fiddler-Berteig**, Fort McMurray, AB | FORT MCKAY FIRST NATION E LEARNING PROGRAM
2. **Elizabeth White & Dave Pisapio**, E Fry Canada and CSC, Toronto | COMMUNITY CORRECTIONS: WE ALL LIVE IN THE SAME COMMUNITY
3. **Verona Singer,** Halifax, Nova Scotia | TENSIONS IN THE HIGH RISK CASE COORDINATION PROTOCOL
4. **Erin Redekop,** Saskatoon Sexual Assault and Information Centre | RESPONDING TO SEXUAL VIOLENCE: HOW THE JUSTICE SYSTEM IMPACTS HEALING
5. **Darlene Okemaysim-Sicotte** | LEARNING BY LISTENING: WOMEN WORKING TOGETHER
6. **Stacey Hannem** | HIDDEN VICTIMS: THE EFFECTS OF CRIME AND INCARCERATION ON THE MENTAL HEALTH AND WELL-BEING OF FAMILIES OF OFFENDERS

FRIDAY, OCTOBER 2nd VENDREDI 2 OCTOBRE

9h00 - 10h00 Plenary session | Atelier de travail : IMPACT OF TECHNOLOGY
Mark Schuler & Marg Stanowski, Operation Springboard, Toronto, Make the "Digital Leap" to evidence-informed youth programming

10h00 - 10h30 Coffee Break, Poster Sessions and Exhibits Pause santé, kiosques et affiches scientifiques

10h30 - 12h00 Breakout sessions | Ateliers de travail :

1. **Myles McLellan**, Algoma University | THE RIGHT TO A REPRESENTATIVE JURY FOR ABORIGINALS
2. **Brian Lang**, BC | NEW PARADIGMS IN FEDERAL CORRECTIONS' APPROACH TO ABORIGINAL NEEDS
3. **Daniel Bellegarde**, File Hills First Nation Police Service Board, Balcarres, SK | FIRST NATIONS POLICING, PEACEKEEPERS AND COMMUNITY-BASED JUSTICE INITIATIVES
4. **Lori St. Onge**, Mi'kmaq Confederacy of PEI | HEALING JUSTICE WITH CIRCLES
5. **Kelly Micetich**, Correctional Services, MacEwan University, Edmonton, AB | URBAN GAMES
6. **Colleen A. Hanrahan**, Institute for the Advancement of Public Policy, St. John's, NL | RESEARCH AND EVIDENCE-BASED APPROACHES TO MENTAL HEALTH

12h00 - 13h30 Lunch (on your own) | Diner libre

13h30 - 14h30 Plenary session | Atelier de travail : COMMUNITY HEALTH AND CHANGE
Presenter | Présentateur : **Dr. Paul Kershaw** - The Social Determinants of Health

14h30 - 15h00 Coffee Break, Poster Sessions and Exhibits Pause santé, kiosques et affiches scientifiques

15h00 - 16h30 Breakout sessions | Ateliers de travail :

1. **Ron Anderson**, Assistant Deputy Minister and Dr. Brian Rector, Executive Director, Research and Evidenced-Based Excellence, Ministry of Corrections and Policing
   THE "HUB" IN SASKATCHEWAN INTERPROFESSIONAL APPROACHES
2. **Gemma Napoli,** Executive Director, Elizabeth Fry, Toronto | ELIZABETH FRY'S 2014 HOUSING NEEDS ASSESSMENT
3. **JoAnn Miller-Reid**, Assistant Deputy Minister, Ontario | JUSTICE SERVICES FOR ABORIGINAL YOUTH
4. **Michael Lessard,** McGill University, Faculty of Law | THE CRIMINAL'S DUTY UNDER THE RENOVATION APPROACH
5. **Otto Driedger**, Circles of Support and Accountability, South Saskatchewan | CIRCLES OF SUPPORT & ACCOUNTABILITY
6. **Pat Ellis, Team Lead**, Youth Justice, The City of Calgary | THE CITY OF CALGARY YOUTH JUSTICE SERVICES: INNOVATION, PREVENTION, INTERVENTION

16h30 - 17h30 Closing Plenary | Conférence de fermeture
PTSD: First Responders Workshop | TSPT : Atelier pour les Premier Répondants

20h00 - 22h00 Banquet & Cash Bar | Soirée Banquet, Bar payant – (Tickets required | Billets requis)

CAREER TRACKING
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New to the *Justice Report*...
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Nouveau dans *Actualités Justice*...
RUBRIQUE PORTRAITS PROFESSIONELS avec des articles sur le professeur et criminologue André Normandeau (Québec) et sur le professeur et criminologue John Winterdyk (Alberta).

Note sur l'auteur : GUY LEMIRE est un criminologue québécois. Il a travaillé pendant 15 ans au Service correctionnel du Canada, dont 5 ans à titre de Directeur du pénitencier fédéral de Cowansville. Par la suite, il a été Professeur à l'École de criminologie de l'Université de Montréal pendant plus de 25 ans, dont 5 ans à titre de Directeur de l'École. Mentionnons qu'il a publié l'un des livres les plus importants sur la prison, soit: "Anatomie de la prison", première édition en 1990, deuxième édition avec Marion Vacheret en 2007-07.

CARRIÈRE « EN BREF » DU CRIMINOLOGUE ET PROFESSEUR ANDRÉ NORMANDEAU (Ph. D.) ÉCOLE DE CRIMINOLOGIE DE L'UNIVERSITÉ DE MONTRÉAL...

Par Guy Lemire, Montréal, le 17 avril 2015.

CARRIÈRE "EN BREF" D'ANDRÉ NORMANDEAU

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- Membre d'une dizaine de Commissions d'enquête sur la justice au Québec, au Canada et en France...
- Rédacteur associé de la Revue canadienne de criminologie et de justice pénale depuis 40 ans...
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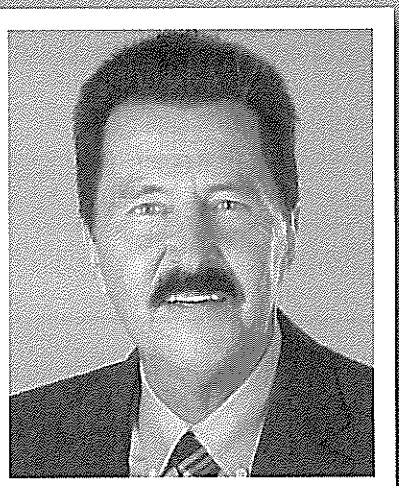
- Entrevues multiples à la radio et à la télévision sur des problèmes de justice : police, prison...
- Auteur ou co-auteur de plusieurs livres et rapports :

  Les Québécois s'interrogent sur la criminalité, Une police professionnelle de type communautaire, Le vol à main armée / Les voleurs parlent / Les victimes se prononcent; avec Thomas Gabor, Armed Robbery / Cops, Robbers, and Victims; avec Laurent Laplante, Le vol à main armée au Québec; avec Ezzat Fattah, La justice criminelle; avec Denis Szabo, Déviance et criminalité; avec Marcel Kabundi, Se protéger contre le vol; avec Barry Leighton, Une vision de l'avenir de la police au Canada / A Vision of the Future of Policing in Canada; avec Emerson Douyon, Justice et communautés culturelles; avec André Thifault, L'état des prisons au Québec; avec Jacques Bellemare, Police et minorités ethniques / Police and Ethnic Minorities; avec Claude Ryan, Pour un Québec plus sécuritaire / Crime Prevention



Créée à l'Université de Montréal en 1960, la criminologie québécoise s'est rapidement imposée comme un acteur incontournable dans le domaine de la justice pénale. Certes elle bénéficiait d'un climat social propice au changement et de l'essor d'une nouvelle finalité pénale, la réhabilitation. Mais elle avait besoin de leaders capables de rendre possibles de nouvelles aspirations. Le fondateur, Denis Szabo, demeure une figure légendaire et sa contribution est depuis longtemps reconnue et justement appréciée. André Normandeau fut un des bâtisseurs qui prirent la relève et, à sa façon, il a marqué à la fois le développement de la nouvelle discipline et sa présence dans la société québécoise.

Prenant la relève de Denis Szabo en 1970, Normandeau devient deuxième directeur du département de Criminologie à l'Université de Montréal...

En 1970, il complétait son Ph. D. en criminologie à l'Université de la Pennsylvanie à Philadelphie. Sa thèse de doctorat, "Trends and Patterns of Robbery", constitua une référence importante dans l'analyse du phénomène criminel et fit de lui un des auteurs québécois les plus cités dans la littérature criminologique nord-américaine. La même année, il devint le deuxième directeur du département, prenant la relève de Denis Szabo. Il fut l'un des principaux responsables du développement accéléré de la criminologie au Québec.

Voyant la criminologie comme une science appliquée qui pouvait contribuer à développer une société plus juste, Normandeau introduit un programme de stages qui encore aujourd'hui fait la renommée de l'École...

Sa principale décision fut de transformer le département en école professionnelle. Il voyait la criminologie comme une science appliquée qui ne prenait toute sa signification que si elle pouvait contribuer à développer une société plus juste. C'est sur le terrain des pratiques

que cela pouvait se réaliser. Pour concrétiser sur le plan pédagogique ce choix déterminant, il mit sur pied un important programme de stages qui encore aujourd'hui fait la renommée de l'École. Ces stages amenèrent à l'Université, en tant que chargés de cours, les meilleurs praticiens de la profession. Dès lors les liens entre les intervenants et les universitaires étaient scellés et ça ne s'est jamais démenti. Conséquence majeure, les nouveaux diplômés formés dans la pratique ont rapidement envahi les divers secteurs de l'administration de la justice, allant même jusqu'à occuper un peu partout des postes décisionnels majeurs. Durant cette stimulante période de croissance, la profession s'est solidement établie et ce, avec une rapidité impressionnante.

Criminologue, André Normandeau a toujours refusé de demeurer dans une tour d'ivoire d'universitaire…

Quand on connaît la personnalité d'André, ce préjugé favorable envers la pratique ne surprend guère. Il a toujours refusé de demeurer dans sa tour d'ivoire d'universitaire, il a voulu connaître les lieux et les problèmes concrets de la justice. Sa porte a constamment été ouverte à tous et il était aussi à l'aise à l'Assemblée universitaire que dans un poste de police.

Normandeau permettre et même favorise le développement de perspectives qui pouvaient être contradictoires…

Les années 1970 furent le témoin d'un bouillonnement d'idéologies fort diverses et l'École ne s'en priva point. L'intervention clinique côtoyait la criminologie critique et aussi l'abolitionnisme, sans oublier la dissuasion et la neutralisation qui n'étaient jamais loin. Cet éclatement des idées correspondait à l'air du temps et je ne suis pas sûr qu'une majorité d'étudiants a été en mesure de replacer toutes les pièces de ce « puzzle », mais ce qui est certain, c'est que les criminologues de cette époque se sont distingués par leur capacité de remettre en question les structures et les pratiques existantes et de devenir des agents de changement. Avec le recul, on constate que cette mission de réflexion et de critique n'a jamais été aussi présente qu'à cette époque. Par son ouverture d'esprit, sa tolérance et, jusqu'à un certain point, sa capacité à réconcilier l'irréconciliable, André Normandeau fut l'animateur de cette effervescence et de ces questionnements.

Normandeau fut de consolider la vocation pluridisciplinaire de l'École qu'avait privilégiée son fondateur, Denis Szabo…

Un autre apport fut de consolider la vocation pluridisciplinaire de l'École qu'avait privilégiée Denis Szabo. On a souvent accusé la criminologie de ne pas être une discipline au sens strict du terme, comme le sont par exemple la psychologie et le droit. C'est que son objet d'études, le phénomène criminel, constitue une réalité complexe qui, pour être totalement analysée et connue, nécessite l'apport de plusieurs disciplines. Ces contributions multiples peuvent mener à une relative indétermination plutôt qu'à une grande certitude dans la poursuite de la vérité et de l'expertise. Cela risque alors de devenir source d'insatisfactions et de conflits tant chez les étudiants que les professeurs. Par son écoute, sa médiation et sa recherche de l'équilibre, André Normandeau a su, non seulement protéger cet équilibre instable, mais en faire une des forces de l'École qui a été en mesure de fournir des expertises en recherche, en gestion et en intervention dans l'ensemble du système pénal.

À compter des années 1980, Normandeau accepte la direction du Centre international de criminologie comparée (CICC) et oriente sa carrière du côté de la recherche et du rayonnement international…

Le lecteur l'aura réalisé, évoquer la contribution du professeur Normandeau à l'École c'est en quelque sorte réécrire l'histoire de son développement et son essor durant ses premières décennies. À compter des années 1980, en acceptant la direction du Centre international de criminologie comparée (CICC), il orientera sa carrière du côté de la recherche et du rayonnement international. À cette époque, les écoles professionnelles se préoccupaient davantage de la formation des étudiants que de la recherche. La quantification des subventions obtenues à des fins de recherche n'était pas alors l'obsession qu'elle est aujourd'hui devenue de sorte que la priorité au développement des connaissances demeurait le choix personnel de chaque unité plutôt qu'une obligation institutionnelle. Assez rapidement, via le CICC, la criminologie montréalaise s'imposa dans le champ de la recherche comme en témoignent les innombrables publications des professeurs-chercheurs. Là aussi, la contribution d'André Normandeau sera importante. Comme directeur de la revue Criminologie, éditée au CICC, il assura le transfert des connaissances à travers toute la criminologie francophone.

Normandeau est l'un de ceux qui ont fait du CICC un carrefour de la collaboration scientifique entre universités et entre pays…

S'il fut un domaine où il put se sentir totalement à l'aise, c'est bien celui de la coopération internationale. Son entregent, son accueil et le naturel de ses relations interpersonnelles en faisaient la personne toute désignée pour remplir cette mission. Il est l'un de ceux qui ont fait du CICC un carrefour de la collaboration scientifique entre universités et entre pays. Il n'est pas exagéré d'affirmer que le Centre est devenu au fil des décennies LA référence par excellence de la criminologie francophone. La maison d'André a longtemps été reconnue comme un lieu d'accueil fort apprécié des visiteurs et l'est demeurée même après son départ à la retraite.

En contrepartie, il a lui-même beaucoup voyagé et fait connaître la criminologie québécoise à l'étranger. Cela lui valut d'être le président de l'Association canadienne de justice pénale, vice-président de la Société américaine de criminologie à New-York et membre du C.A. de la Société internationale de criminologie à Paris. Sans oublier bien sûr les très nombreuses invitations à enseigner dans plusieurs universités.

Conseiller à plusieurs commissions d'enquête: la justice pénale au Canada et au Québec, les prisons au Québec, la police et les minorités, la police au Canada et la prévention de la délinquance...

J'ai souligné précédemment son intérêt pour l'administration de la justice pénale. Son engagement à ce niveau fut important comme en témoigne sa participation, soit à titre de membre, soit à titre de conseiller à plusieurs commissions d'enquête: la justice pénale au Canada et au Québec, les prisons au Québec, la police et les minorités, la police au Canada et la prévention de la délinquance. Il fut des grands débats certes, mais son implication sur le terrain pouvait être encore plus concrète comme en témoignent sa collaboration à divers programmes communautaires et son appartenance à la Commission québécoise des libérations conditionnelles. Il fut aussi pendant quelques décennies un des criminologues les plus disponibles dans les médias québécois et canadiens. Sa grande culture criminologique et son impartialité lui permettaient d'informer avec clarté et de susciter des débats éclairés sur des sujets où la passion et la partialité sont souvent présentes.

Coresponsable des recensions de livres pour la *Revue canadienne de criminologie et justice pénale* à Ottawa et la *Revue de science criminelle et de droit pénal comparé* à Paris…

On ne peut écrire sur notre collègue sans souligner son enthousiasme, voire sa passion pour sa profession. C'est peut-être son plus grand titre de gloire, ce pour quoi on se rappellera le plus de lui. Il s'est identifié à la criminologie de façon totale et en a tiré une immense fierté. Nos qualificatifs peuvent sembler excessifs mais ils ne font que souligner une réalité évidente pour ceux et celles qui l'ont côtoyé. Nous avons tous ressenti cet enthousiasme le plus souvent contagieux. Même les gens étrangers à la criminologie étaient étonnés de son entrain et de son empressement à les entretenir sur son domaine de prédilection. Il est difficile de trouver une personne qui ait été plus fière que lui de sa profession. Si je puis dire, il est « tatoué » criminologue! Toute la criminologie l'intéresse et il est toujours un lecteur affamé de livres et de revues spécialisées. Ce n'est pas un hasard s'il est toujours, après 30 ans, coresponsable des recensions de livres pour la *Revue canadienne de criminologie et justice pénale* à Ottawa et la *Revue de science criminelle et de droit pénal comparé* à Paris. Nombreux sont les collègues et étudiants, et même les non-spécialistes, qui se sont adressés à lui pour obtenir les références les plus récentes et les plus significatives et ce, dans tous les domaines.

Même s'il a officiellement pris sa retraite de l'Université, il n'a jamais cessé ses activités professionnelles…

Criminologue André Normandeau est très actif en Europe francophone et surtout aux États-Unis où il a agi comme consultant pour le ministère de la Justice et l'Université de Washington pour une grande recherche nationale sur la police communautaire. Les questions de police et de sécurité constituèrent au cours des dernières décennies son secteur d'études de prédilection. Cette compétence a d'ailleurs été encore récemment reconnue quand il a été nommé en 2014 membre du nouveau Comité civil indépendant d'examen des activités du Service de police de Montréal.

Sa carrière de criminologue se poursuit donc et ne cessera que quand la vie l'aura quitté ce qui, compte tenu du soin qu'il porte à sa condition physique, n'est pas près de se produire! ••

Témoignages...

DANIEL DESBIENS, ex-étudiant à l'UdeM.
Policier au Service de police de Montréal.

Policier à la GRC et au Service de police de Montréal, le modèle de "police communautaire" a été et est encore le cœur de mes activités professionnelles. Un des premiers policiers au pays à obtenir une maîtrise "et" un doctorat (Ph. D.) en criminologie, j'ai travaillé de près avec le Professeur André Normandeau, un spécialiste international de la police communautaire. À ce titre, il a été un "partenaire incontournable" pour la mise en vigueur de ce modèle à Montréal et ailleurs au pays, ainsi qu'aux États-Unis et en France. Il a toujours eu le souci d'un "équilibre entre la théorie et la pratique" et il a su m'aider à relever plusieurs défis au cours de ma carrière. C'est "vraiment" un criminologue hors-norme ! Un professeur hors-pair !

BONIFACE DIARRA, ex-étudiant de l'Université de Montréal, d'origine africaine (Mali). Professeur de criminologie à l'Université de Montréal

Un professeur d'une très grande ouverture d'esprit. Un engagement infatigable pour le rayonnement de la criminologie. Un attachement pour le travail intellectuel multidisciplinaire. Sa modestie dû-t-elle en souffrir, mon vœu est de voir tous les criminologues du pays s'inspirer de sa rigueur intellectuelle et de cette ouverture d'esprit exceptionnelle.

GÉRAL GEOFFRION, ex-étudiant de l'Université de Montréal.
Criminologue en sécurité privée.

J'ai connu André Normandeau il y a plusieurs années. Il dispensait alors ses cours avec enthousiasme, avec rigueur, avec professionnalisme. Par la suite, j'ai choisi de travailler en sécurité privée, chez Desjardins et ailleurs. J'ai toujours suivi de près la carrière exceptionnelle du Professeur André Normandeau car il était et il est toujours souvent interviewé par la télévision et la radio. Son expérience et son expertise sont "uniques". Il est toujours très actif et la "passion de la criminologie en action" transpire à chacune de ses interventions privées "et" publiques.

ABSTRACT

CARRIÈRE « EN BREF » DU CRIMINOLOGUE ET PROFESSEUR ANDRÉ NORMANDEAU ((Ph. D.)) ÉCOLE DE CRIMINOLOGIE DE L'UNIVERSITÉ DE MONTRÉAL...

By Guy Lemire, Montreal, April 17th 2015

This evocative vignette discusses the distinguished career of criminologist André Normandeau, former professor at Université de Montréal and Emeritus Director of the École de criminologie (the École - Canada's first School of Criminology) and the Centre international de criminologie comparée (CICC) / International Center for Comparative Criminology (ICCC) at Université de Montréal. Lemire reports that Normandeau's drive and enthusiasm combined with academic excellence and untiring efforts as a teacher (his door was always open), as director, board member, criminologist. The reception of his doctoral thesis, Trends and Patterns of Robbery, made him one of the most cited authors in North America in his field. Lemire takes the reader through Normandeau's ascension to Director of the École, taking the helm from renowned pioneer-founder of the École and CICC / ICCC, Denis Szabo, and entrenching this latter's belief in multidisciplinary education. Normandeau's own vision of criminology as an applied science necessary for a more just society led him to introduce field training that would afford students the practical experience needed to move into influential positions in the various justice sectors. Lemire also reflects on Normandeau's tenacity vis-à-vis critical criminology and abolitionism and that he imbued students with a capacity to question existing structures and thus play creative, reflective and critical functions in society. He posits Normandeau's directorship of the (CICC /ICCC) in the 1980s as pivotal in its consolidation as a forum for scientific collaboration among universities and countries while ensuring the transfer of francophone criminology into the mainstream. Lemire cites Normandeau's involvement as advisor on, among other, Québec provincial prisons, Canadian police, minority issues, crime prevention, and on numerous boards. Lemire concludes by noting Normandeau's retirement from teaching has not diminished his activities as criminologist; André Normandeau remains active as a consultant for various departments of justice and criminology in Canada and the United States as well as in Europe, especially France, Belgium and Switzerland.

JOHN WINTERDYK (PhD): ADVANCING THE CANADIAN FIELD OF INTERNATIONAL COMPARATIVE CRIMINOLOGY AND CRIMINAL JUSTICE

By Julie Kaye (PhD) Assistant Professor of Sociology and Director of Community Engaged Research, The King's University, and **Crystal Hincks** (MA) Director, Impact and Evaluation Research Services

JOHN WINTERDYK'S CAREER SNAPSHOT

- *Simon Fraser University:* Specialization: Criminology - Special Arrangements
  Dissertation title: "Eyewitness identification and testimony: Human intuition and the jury system"
- Former Director, *Centre for Criminology and Justice Research,* Justice Studies Department, Mount Royal University.
- Adjunct Professor positions held:
  - Namibia - *University of Science and Technology of Namibia*
  - Fredericton, NB: *St. Thomas University*
  - Regina, Sask: *University of Regina*
- Recipient of the first *Distinguished Faculty Scholarship Award* Mount Royal University
- Recipient of the Effective Team Award Mount Royal University
- Former *Endowed Chair* St. Thomas University
- Former Editor: *International Journal of Comparative Criminology and Criminal Justice*
- Serves on the editorial board of nearly a dozen international journals
- Co-facilitated the first webinar on Human Trafficking for the United Nations - Vienna
- Although John teaches at an undergraduate university he has served as an external examiner, or external thesis member on over a dozen PhD dissertations in Canada and internationally.
- Founding member of the Balkan Criminology Network
- Former President of the Alberta Crime Prevention Association

As two of many emerging scholars who have benefitted from the substantial amount of time and mentorship that Professor John Winterdyk invests in those coming after him, it is an honour for us to write about his life and work. John is not the first international comparative Canadian scholar to advance this area of criminology, but he has made a significant contribution to the field.

The early days of John Winterdyk's career as a comparative criminologist were spent running the first pilot diversion program for young offenders in Canada.

In the mid-1970, John volunteered as a probation officer at the Kitchener-Waterloo probation office with Rick Mazur. His summer position became an especially pivotal experience in his future work when he was asked to help translate some of the work of Buikenhause for Mr. Mazur. As it so happened, that work led to the first pilot diversion program for young offenders in Canada.

John's educational journey was instilled with lifelong academic friendships

After graduating with an Honours degree in Psychology from Wilfrid Laurier University in 1978, John entered the first cohort of graduate students in the newly minted Master of Arts program at Simon Fraser University in 1978. According to John, his Masters years were wonderful and intellectually stimulating, and they marked the beginning of some lifelong academic friendships. Such collegiality and lasting friendships of mutual inspiration are the hallmarks of John's approach to his research, teaching, and service. John became one of the first graduates of the MA program at SFU. John aimed to become the first graduate student to defend his thesis, but a good friend and colleague, Professor Darryl Plecas, preceded him.

First recipient of PhD in Criminology from Simon Fraser University

Close on the heels of his Master's degree, John entered a PhD in Criminology through Special Arrangements because SFU had not yet had time to fully implement the degree. This time, he was the first among a number of fine colleagues to complete his PhD under the tutelage of such esteemed scholars as Professors Ronald Roesch, Pat Brantingham, and Ray Corrado.

After graduation, applying for teaching and research positions

Upon graduating, John spent some time applying for various teaching and research positions only to be told that he was "too specialized" as a Criminologist. In the end,he found a position at what was then Mount Royal College (renamed as Mount Royal University in 2009) in Calgary.

Despite a heavy teaching load – not uncommon in the College environment – John found the time to pursue his passions for comparative criminology and criminal justice research. In these early years of his career, the college did not formally acknowledge his scholarly work through academic promotions or pay increments; however, his faculty recognized the value of his work and his various Chairs and Deans over the years were extremely supportive of his writing and research.

In 1988, John started what is now the longest running European Criminology Study Tour

Not being bound by the traditional "publish or perish" mantra of research-intensive universities, John quickly began to embark on a wide range of international and comparative initiatives. In 1988, John started what is now the longest running European Criminology Study Tour, which he has offered on a bi-annual basis since this time. Although 2016 will reportedly be his final tour, he is currently exploring new international learning opportunities.

Never one to sit still, John always has a number of projects on the go. What most people describe as being "too busy," John describes as "not being bored."Although it is beyond the scope of this article to elaborate, John's dedication to movement is exemplified by the fact that he was first Canadian to win an Ironman distance race and also the first Canadian to break the 10-hour, and then 9-hour, barrier over an Ironman triathlon course. In 2004, he won his age group division at the World Master's Games in triathlon. Truly, the man does not sit still.

Early comparative work involved editing a comparative book on juvenile justice systems and many more publications have followed

Given his level of activity and engagement, John capitalized on his passion for travel and exploring crime and justice within an international and/or comparative context to write and (co)edit a host of related books. Stemming from his early exposure to juvenile diversion programs, it comes as no surprise that his comparative work involved editing a book that provides a global examination of the juvenile justice system. It too, was one of the first books to engage in such a comparison and definitely the first Canadian book to do so. From there, John has gone on to edit three editions of the book with the most recent being Juvenile Justice: International perspective, models and trends (CRC Press) (2014).

Other works, to name a few, included Lessons from International/Comparative criminology/criminal justice (deSitter: 2004), Adult corrections: International systems and perspectives CJP: 2004), Racist Victimization (Ashgate: 2008), Border security in the Al-Qaeda era (CRC Press: 2010); and an international textbook on human trafficking (CRC Press: 2012).

He is currently working on a book that will examine crime prevention in an international context. Another unique contribution to the international comparative criminology and criminal justice literature, John collaborated with a couple of colleagues to produce A guided reader to research in comparative criminology/criminal justice (Brockmeyer: 2009). To the best of our knowledge, it is the only reader of its kind, written to provide prospective researchers interested in engaging in international and comparative research. The book explores how emerging researchers can apply different methodologies to engage in comparative analyzes. To date, John has authored and co-edited almost 30 academic books and has published dozens of peer reviewed articles, many with an international focus.

Served as guest editor for a number of international journals and the first special "International" issue of the *Justice Report* (issue 29.1)

John has also been invited to serve as guest editor for a number of international journals. He edited one of the first dedicated criminal justice journal issues on genocide (ICJR 2009) in which he assembled some of the leading experts in the world - including Nick Jones from the University of Regina. He was a lead co-guest editor of another international issue on human trafficking for the European Journal of Criminology in 2010. In 2012, he was invited to guest edit a special international issue on human rights for the Pakistan Journal of Criminology. More recently, in 2014, John guest edited the first special issue of the *Justice Report*, which focused on a rich and varied cross-section of short articles by invited contributors from around the world. John also serves on an impressive number of international journals and is a founding member of the Balkan Criminology Society.

Not one to "sit still," John has guest lectured at many universities and has been a visiting scholar at the internationally regarded Max-Planck Institute in Freiburg, Germany

John has guest lectured at over a dozen universities and post-secondary institutes in the Caribbean, Europe, Africa, Australia, and China. He has given invited presentations in China, Australia, South Africa, Namibia, and a host of European countries. In 2009, he became the first faculty member to receive the "Distinguished Faculty Scholarship Award" at Mount Royal. The pace of his scholarly output remains most commendable, especially given the complex areas of research he engages.

Again, not one to "sit still,"John has been a visiting scholar a number of times at the internationally regarded Max-Planck Institute in Freiburg, Germany where he has worked with numerous international scholars, assisted a score of graduate students, and co-organized an international conference on human trafficking. In 2012, John was also invited to co-organize the first United Nations webinar on human trafficking.

An autobiographic retrospective review of the pioneers of Canadian criminology and criminal justice

In spite of all his achievement, John considers his impact to be modestat best. He is quick to refer to some of his Canadian counterparts who he considers true Canadian-leaders in the field of criminology: E. Fattah, I. Waller, D. Szabo, A. Normandeau, and J. Hackler. In fact, John is currently working on a book project that will present an autobiographic retrospective review of the pioneers of Canadian criminology and criminal justice. It has been a passion of John's to formally recognize those who have

laid the foundation for crime and criminal justice studies in Canada and to ensure their legacy is documented for future generations of Canadian criminology and criminal justice students and scholars.

John's ability to instill confidence and provide the opportunity for learning in junior scholars is a craft in itself and has touched the lives of many

John builds lasting connections with colleagues throughout the world as he continues to seek out or be asked to be part of various international research teams. Yet as much as he welcomes such opportunities, he also looks to create opportunities for others, especially junior scholars, to join him on various projects. John's ability to instill confidence and provide the opportunity for learning in junior scholars is a craft in itself; John offers support and guidance while allowing those working with him to showcase their abilities and contribute on a large scale.

Yet, as much as he has dedicated considerable time to advancing the field of criminology in Canada and internationally, he is committed first to his family and shares with pride the achievements of his wife and children. As John freely acknowledges, without the kind support and encouragement of his family, much of his work would never have come to fruition. ••

Some quotes from former students

John has touched the lives of many through his unique combination of high standards and a compassionate and caring mentorship that meets students where they're at and pushes them further than where they began.

For example, one of the first graduates of the Bachelor's degree in Criminology at MRU, Criminologist DR. JESSE CALE from the University of New South Wales in Australia, had the following to say about John:

"The day I met Dr. Winterdyk was a turning point in my life; it forever altered my trajectory and set me on a life-long journey of exploring the criminological imagination. He gave me opportunity, held me to his exceptionally high standards, and supported me to achieve my dreams. I look on my life now, and the passion I have for what I do, and cannot fathom where I would be if I had never met him. I was truly fortunate to have such an exceptional academic as a mentor from very early on in my career. I am honoured to have opportunities to continue to work with him, and even more, to consider him a close personal friend."

As another former student, who entered the criminal justice program at Mount Royal College in 1996 indicates, *"his expectations for hard work and his demanding but rich lectures ensured I worked hard for my grades and the diploma I am so proud of having achieved … [A] man with high standards for himself and those of his students, he was an inspiring mentor and exceptional role model. Along with his support and encouragement, today, I am a criminology lecturer myself."*

Like many students mentored by John, Thorsten Ulrich, now teaching at a police college in Germany, goes on to describe the long-ranging commitment John takes to his role as a mentor. In the words of the former student,

"Although many years have passed since I graduated from Mount Royal, I continue to look up to John and see him as an exceptional person whose (international) academic work is truly impressive and how dedicated he remains to his students and scholarly work. I take pride in the fact that I've known John for almost 20 years. His mentorship has today evolved into a dear friendship and without him, I would not be the person, nor have achieved the academic success, I am and have today."

RÉSUMÉ

JOHN WINTERDYK: ADVANCING THE CANADIAN FIELD OF INTERNATIONAL, COMPARATIVE CRIMINOLOGY AND CRIMINAL JUSTICE

Par Julie Kaye, PhD, directrice, Community Engaged Research, professeure adjointe de sociologie, Université King's et Crystal Hincks, M.A., directrice, Impact and Evaluation Research Services

Cette capsule évocatrice parle de la brillante carrière du criminologue John Winterdyk (PhD). Julie Kaye (PhD) et Crystal Hincks (M.A.) parlent de la progression de ce chercheur multidisciplinaire, professeur et criminologue canadien dans le domaine de la criminologie canadienne et internationale. Le professeur John Winterdyk a été le premier à obtenir un doctorat en criminologie de l'Université Simon Fraser. Il a étudié sous la direction de professeurs respectés comme Ronald Roesch, Pat Brantingham et Ray Corrado. Kaye et Hincks parlent aussi de la façon dont le travail qu'il a effectué immédiatement après l'obtention de son diplôme l'a amené, par inadvertance, à faciliter la mise en œuvre du premier programme pilote de déjudiciarisation pour les jeunes contrevenants au Canada. Kaye et Hinks décrivent Winterdyk comme étant inépuisable, notant qu'après être devenu professeur, il a fait paraître un ouvrage comparant les systèmes de justice pour adolescents de divers pays, le premier en son genre au Canada. Il a aussi organisé ce qui est maintenant le plus ancien voyage d'études sur la criminologie en Europe et a, entre autres, corédigé près de 30 ouvrages universitaires, publié des douzaines d'articles évalués par les pairs, et a rédigé un des premiers numéros consacrés au génocide dans une revue traitant de justice pénale. Il a été un des principaux corédacteurs invités pour la publication d'un numéro de l'*Européen Journal of Criminology* et rédacteur invité pour la publication d'un numéro international spécial du *Pakistan Journal of Criminology* sur les droits de la personne et d'un numéro international spécial d'Actualités Justice. Membre fondateur de la Balkan Criminology Society, Winterdyk est régulièrement invité à donner des présentations à la Société européenne de criminologie et a été conférencier dans des douzaines d'universités et d'établissements postsecondaires dans les Caraïbes, en Europe, en Afrique, en Australie et en Chine. Il a supervisé des étudiantes et des étudiants de cycles supérieurs ou agi à titre d'examinateur externe pour ceux-ci dans de nombreux pays. Il a aussi été invité à donner des présentations en Chine, en Australie, en Afrique du Sud, en Namibie, ainsi que dans une foule de pays européens. Les auteures, Julie Kaye et Crystal Hincks, qualifient aussi Winterdyk, le premier Ironman au Canada, de partenaire qui partage sa fierté avec son épouse et ses enfants et qui a encadré et consacré beaucoup de temps à plusieurs jeunes universitaires, y compris les deux auteures de cet article.

MULTI-DISCIPLINARY COLLABORATION
– AN ESSENTIAL TOOL AND SKILL OF RESPONSIBLE PUBLIC SERVICE IN HIGH-RISK SERVICE PROVISION

BY ROBERT CHRISMAS AND CLAUDIA PONCE JOLY

About the Authors

Robert (Bob) Chrismas BA, MPA, is in his fourth decade of law enforcement, currently a serving Staff Sergeant in his 26th year with the Winnipeg Police Service, in central Canada. Bob is the author of *Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes* (McGill - Queen's University Press, 2013). Bob is currently a PhD candidate, Peace and Conflict Studies, University of Manitoba. His current focus is researching collaborative multidisciplinary approaches to address sexual exploitation and human trafficking in Canada.

Claudia Ponce Joly holds Master of Public Administration and Bachelor of Social Work degrees. She has held various high-level positions, including an appointment through Order in Council as Director of Child Welfare for the Province of Manitoba, Executive Director of the Manitoba Child Protection Branch, Executive Director of the Child and Family Services Council for Quality Assurance for the Province of Alberta, national federal provincial territorial Chair of the Directors of Child Welfare and various directorships including oversight of quality assurance programs, provincial investigations, reviews, professional standards, residential child care facilities, Child Advocacy Centre development, and several provincial registries. She held various positions as a front line social worker prior to her later executive appointments. Claudia is currently an independent principal consultant and speaker on public policy, continuous quality improvement, systemic review, child death review, child protection and multidisciplinary initiatives.

Prevention, collaboration and community engagement are a growing priority in Canadian policing and justice agencies. Responsible and effective public service includes coordination at systemic levels for continuous service evolution in the face of quickly changing social dynamics and environments. While collaboration has existed in various forms since the early 1900's, the concept multidisciplinary collaboration in public service delivery has been operationalized in Canada mainly over the last three decades. Century-old systems theories support holistic multidisciplinary collaboration (MDC) approaches to public service provision. Systems theories can thus help a perceived required shift by public service sectors such as policing and social work toward the relationship between the individual organizations, whole communities they serve and the environment in which they all interact. While adopting MDC models constitute fundamental changes for many organizations, due in part to entrenchment of the siloed approaches of the past.

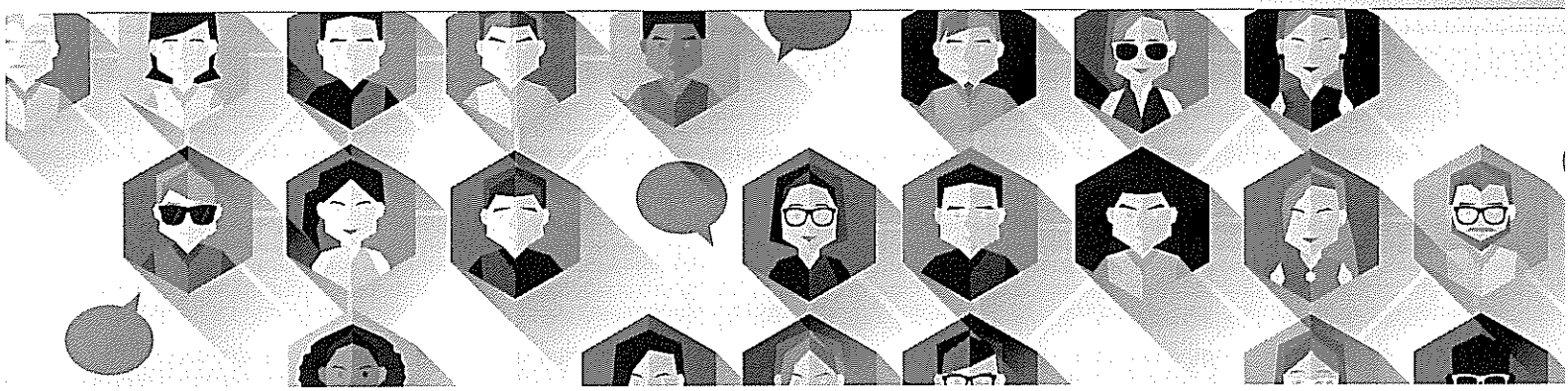
There is an ever-increasing awareness of the need for partnerships and collaborative relationships generally, between service agencies, such as police and social work, and various stake holders to address difficult social problems. Foundational changes are hard to implement as an MDC approach requires a truly coordinated approach that permeates all levels and aspects of the existing organizational culture and system. When service agencies do not operate collectively, service recipients (the integral component) can become recipients of sometimes profoundly negative impacts.

The foundation must thus take into account the need for guidance from people at the ground level of organizations, historically, communities and 'experiential persons', e.g., those who have relevant knowledge derived from lived experience, as they can often offer the best insights—who can say better how systems have failed or where they need improvement, than those people in need of critical services? We need to engage and include this important group as true partners not solely as clients if we hope to find sustainable solutions to our most significant social challenges regarding public service provision systems. The public service collaboration continuum involves the union of formal professional multidisciplinary teams with all community stakeholders, including those with direct lived experiences.

MULTIDISCIPLINARY COLLABORATION

Understanding Multidisciplinary Collaboration across Systems

Collective impact is a contemporary term used often as regards collaborative cross-agency team building. Chrislip (2002), a pioneer in collective impact work, describes collaboration as a means of "building social capital," and "transforming civic culture" around social problems. Multi-agency systemic change requires shared vision and goals addressing actual or perceived obstacles. It is worth repeating that poorly coordinated service systems and agencies may unintentionally harm service recipients. Understanding each other's stories can help develop shared needs and goals (Senehi 2009, Baum 2009, Rothman & Olson 2001, 97, 92). The answers to deep-rooted social problems are to be found in the affected communities, and we must rely on local actors who understand the cultural nuances and context key to understanding and combatting the problems (Lederach 1995). Historically, mandated government agencies have often imposed reactive-approach programing on communities, rather than making them partners, which is needed for a proactive approach. Successful stra-



tegies involve grass roots approaches with involved community leaders as equal partners.

MULTIDISCIPLINARY COLLABORATION IN JUSTICE

Prevention, collaboration and community engagement are a growing priority in Canadian policing and justice agencies

Prevention, collaboration and community engagement are a growing priority in Canadian policing and justice agencies. Engagement is a fundamental policing goal and a requirement for successful crime prevention. Section 39 of the Alberta Police Act (2000), for example, stipulates that every police officer has the authority, responsibility and duty to "(ii) encourage and assist the community in preventing crime" and "(iii) encourage and foster a cooperative relationship between the police service and the members of the community." At some point, the community and engagement aspects of policing became less of a priority despite being a fundamental policing function, and this needs to change.

> *Active policing partnerships "The most effective method of reducing crime in a community is preventing it from happening in the first place… [and] from a policing perspective, preventing crime cannot be accomplished solely through law enforcement. In order to truly affect crime, community members, social groups, businesses and governments must be able to identify crime trends, be educated in prevention strategies, and be prepared to apply best practices- together." (OACP & Ontario Community Safety and Correctional Services, 2012, p.2).*

Crime prevention saves financial costs, reduces human suffering and is clearly a part of a police officer's role. The Ministry of Community Safety & Correctional Services (OACP & Ontario Community Safety and Correctional Services, 2012, 2012 p.25) has published, the police role is to, "Prevent crime by establishing integrated, multispectral, multidisciplinary responses and partnerships" highlighting, "evidence shows that police are most effective when their crime prevention efforts are combined with multi-sectorial collaborations." We would be remiss here if we failed to acknowledge Sir Robert Peel, who first defined these principles of good policing in 1800's London. Peel's principle number seven, "the police are the people and the people are the police," resonates with today's movement to re-engage communities and share responsibility for public safety (Chrismas, 2012; Lentz & Chaires, 2007).

External Reviews Say Siloed Approaches to Service Delivery Increase Risk

No single organization or staff person has all solutions to any complex social problem. Services, such as policing, child protection and mental health require inclusive MDC approaches. Those who have worked in any branch of public service for any length of time have certainly experienced feeling over extended, under resourced and on the hot seat over issues on which they have little direct control. This dynamic is intensified in the modern context of public scrutiny intensified by citizen journalists and split-second social media responses. Accountability accompanies our mandates at both individual and systemic levels. Tragedies and critical incidents are often a result of systemic, foundational problems and issues, rather than the intentional act of any one person or single public service entity. Reviews of critical incidents often find complex interrelated factors far outside the mandate of any single organization contributing to the incident, loss or issue.

As such, these external reviews, e.g., inquests, inquiries and quality assurance reviews, often recommend increased MDC. As a result, many of the most successful MDC initiatives have been developed in response to a crisis or tragic situations involving injuries or loss of life, especially within agencies that provide services to populations that are over represented in multiple service areas. The days when service sectors made protecting only their mandated territory a priority are dissipating. Proactively adopting MDC may further prevent unnecessary harm, improve service and close gaps in a preventive manner rather than exploring and strengthening MDC years later, and responding to scathing inquiry and inquest findings.

SOME MULTIDISCIPLINARY COLLABORATION MODELS:

CACs – A Proven International MDC Model

The **Child Advocacy Centre (CAC)**, also known as Child and Youth Advocacy Centres (CYAC) model is a well-established, noteworthy example of multidisciplinary, collaborative public service that benefits children, families and public interest through coordinated child abuse related services and practice. The first CAC was developed in Huntsville, Alabama in 1985. Over the past thirty years over 700 CACs have been accredited in North America, with now over 900 CACs operating or in development around the world. CACs are child focused centres that coordinate the investigation, prosecution, and treatment of child abuse, helping abused children and providing a single (typically) child friendly setting for children/youth victims or witnesses and their families to seek services, which includes reduced numbers of interviews. The Federal Ombudsman of Victims of Crime in 2011 advised that "a victimized child and his or her family can go to more than 10 different locations and see

multiple professionals before getting help". CAC models recognize that child victims of sexual and physical abuse can be further harmed by the responding systems, if they are not coordinated and sensitive to victim needs. CACs adopt seamless, collaborative approaches minimizing systemic trauma for young victims. While CACs vary, they maintain core best practice principles. It is noted that two of the ten core components "Cultural Competency and Diversity" and multidisciplinary team including law enforcement, child protection services, prosecution, mental health services, victim advocacy services, and CAC staff (National Children's Alliance 2012).

The model is supported by primarily US studies. Cross et al (2007) identified reduction in the number of interviews and interviewing agencies required to get the child's story; increased collaboration and coordination of the agencies involved; faster prosecution times, specifically processing time for charges and disposition of case. A 35% cost reduction of child abuse cases was identified in communities serviced by a CAC. (Form by et al. 2006). The authors concluded in a "justifiable investment resulting in $3.33 of program benefit realized for every $1 of program costs spent" (Formby et al. 2006, p. 81). The CAC model extends its effectiveness further by engaging communities, a fundamental principle of MDC, and playing an educational role by raising awareness about their role in crime prevention and supporting the healing of physically and sexually abused children and youth. Deterrence effects may also be experienced in areas where CACs are perceived to increase child abuse conviction rates and also are successful in raising awareness of child sexual abuse. Note, however, improving the experience of the investigative process for a child abuse victim and their family is an immeasurable benefit of CACs. The first operational CAC in Canada is the Zebra Child Protection Centre of Edmonton, Alberta, opened in 2002. Prior to Zebra, alleged child victims of abuse were treated in the same manner as adults in that jurisdiction.

In Canada the federal funding portion is currently provided through the Victims Fund under the Federal Victim Strategy. CAC/CAYCs are now flourishing across Canada, funded by varied combinations of federal, provincial, territorial, municipal, private sector support. McDonald, Scrim & Rooney (2013) describe how the Department's Research and Statistics Division (RSD) is involved in Capacity building including the foundation of data collection. The authors emphasize there is no quasi scientific Canadian research yet as there is in the in the United States, however, the opportunity to incorporate consistent common data collection and information management support across Canada is available through the RSD. The Department of Justice's Evaluation Division is engaged in a multi-year, multi-site study to "explore how CACs are working". Several smaller research projects are also underway say the authors. Canada's CAC/CAYCs have an opportunity to be founded in solid outcomes data and ongoing evaluation at local and national levels.

Promising MDC Models, Initiatives and Strategies

The following are MDC approaches in various stages of implementation, maintenance and review. The launch of an MDC initiative or program is just the start. Long-term support, financial and other resources, as well as mandated evaluations on how successful each program is in the provision of its services, i.e. in ensuring desired outcomes for the service recipients, are key in evolving programs further and ultimately supporting clients better. The main lesson learned is that that the MDC is a proactive approach.

The Alberta Child at Risk Response Team (CARRT) coordinates and integrates services to children who may be at risk in Edmonton and Calgary, Alberta. The multidisciplinary CARRT was established in Edmonton in 1995 as a pilot project to streamline the process of conducting interviews and investigations of child abuse. The pilot project was a response to a move towards a community policing model and Edmonton's then-rising a rising number of children-at-risk and lack of adequate resource options. CARRT functions include investigating child abuse while educating and supporting families to improve their resilience. Police and child welfare workers work side by side to investigate imminent risk to children, which may include severe neglect and/or physical or sexual child abuse. Investigations have been improved through interdisciplinary partnerships and collaboration and the safety of child intervention workers improved through direct partnership with police officers. Appropriate information gathering and sharing is accelerated by working in teams. The end result of this streamlined service approach is more efficient service provision to children and families. The 1996 CARRT evaluation (Veieitch, Malina & Moore 1998) identified numerous benefits, including rapid and improved response to child at risk calls; (2) improved information sharing between police and child intervention agencies; (3) reduction in calls for service for Child Abuse investigations by patrol; (4) reduced demand for follow-up services for both organizations; and, (5) improved expertise in the interview, investigation, and intervention. The Edmonton Police Service reported CARRT conducted 1,037 consultations and 276 child apprehensions in 2008. An additional 85 behavioral assessments were competed and eight children who had been involved in sexual exploitation through prostitution were helped. (Edmonton Police Service and Edmonton Police Commission, Annual Report, 2008). Unfortunately, many jurisdictions in Canada have less direct and less formalized partnerships in this important service area.

Manitoba's Strategy to Combat Sexual Exploitation of Children and Youth

The Manitoba Strategy demonstrates that crime and social issues require true multidisciplinary approaches with involvement of community and experiential people at the foundation. Phase 1 of the Manitoba Strategy was established in 2002 through the Multijurisdictional Implementation Team (MIT), comprised of numerous organizations involved in serving sexually exploited children and youth (Manitoba Family Services & Housing, 2008). This first phase focused on children exploited through prostitution. The second phase, entitled Tracia's Trust, encompasses the coordination of services for all ages (children, youth and adults), and considers all forms of sexual exploitation, including prostitution, pornography, sex trafficking, sex tourism and internet luring (http://www.gov.mb.ca/fs/traciastrust/).

Tracia's Trust was named after 14-year-old Tracia Owen, a talented Aboriginal youth in care, who was sexually exploited and ended her life through suicide in 2005 (see Report on Inquest of the Honorable Judge John Guy, January 11, 2008).

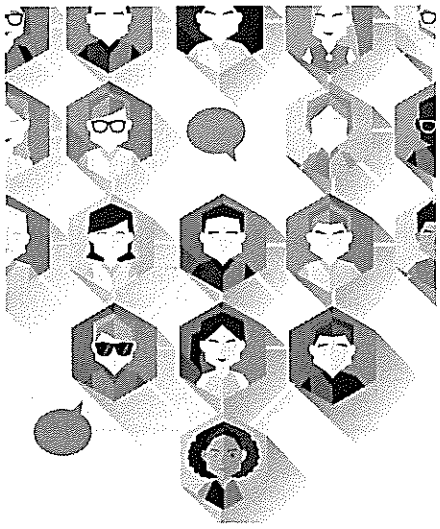
The provincial inquest resulted in recommendations that included collaborative multidisciplinary actions and approaches including: (1) A summit of stakeholders-police, child welfare workers, justice officials, community groups, Aboriginal groups and government agencies, and (2) Creation of a dedicated, specialized, multidisciplinary unit to implement the strategy determined at the summit; front-loaded intense intervention and teamwork with children and youth with a high risk of sexual exploitation. (Manitoba Family Services and Housing, 2008). Phase two developed through the resulting intensive collaboration throughout the province. The summit included an array of participants including community leaders, coalitions, academics, service providers, political leaders, and experiential persons. It was formally acknowledged that Aboriginal children are over represented as victims of child sexual abuse through sexual exploitation and subsequently over represented in related and associated services primarily through policing, child welfare and medical services. Community and experiential persons were identified and treated as an active catalyst for change.

One of the key Tracia's Trust MDC initiatives is known as Street Reach

The StreetReach model originally launched in Winnipeg in 2009, and northern Manitoba in 2010, was modelled after the High-Risk Victims (HRV) Squad of the Dallas Police led by Sgt. Fassett. In 2014/15 Winnipeg and Thompson StreetReach teams working with Winnipeg Police Services and RCMP amongst others continue to return many vulnerable children and youth identified as high risk victims to safety. StreetReach has reported over 1,922 encounters with children who were exploited or at risk of exploitation; 1,478 relationship building contacts between the outreach workers and youth; 405 were the result of locating and returning missing youth to a place of safety; and 39 were arrests by police, with some involvement by StreetReach; Outreach encountered a total of 242 different children; 102 of those children were sexually exploited and 140 were at risk of becoming exploited. There were 2,291 address checks completed while searching for missing children; the outcome was 405 safe returns to placement. (Manitoba Family Services Annual Report 2013-2014). This multidisciplinary collaborative service approach has improved safety for children and youth at risk of sexual exploitation and other forms of victimization.

Manitoba's StreetReach programs have received acknowledgement from other police and Child and Family Service agencies across Canada, and from other Canadian experts and writers on the issue of child sexual exploitation and trafficking, as a unique and promising response to missing, exploited and trafficked children and youth as noted by B. Perrin, B. (2010) in his book, *Invisible Chains: Canada's Underground World of Human Trafficking.*

Manitoba's Block by Block Community Safety Initiative is a collaborative, preventive approach recognizing that supporting and building community resilience is the only sustainable way to effectively enhance community safety. Established in 2014 with secretariat including an executive director, two staff and an office funded by the provincial government and a fulltime assigned Winnipeg police sergeant with strong contacts in the community. The Block by Block model assigns specific geographic areas, "HUBS" coordinating relevant government and non-government service providers, community leaders and affected families to seek solutions when families encounter barriers with multiple systems. Referrals come from a variety of sources, including service agencies and others in the community. The HUB is supported by the COR (Centre of Responsibility), comprised of leaders from the various involved agencies. The COR has members able to make decisions and help remove barriers on behalf of their representatives and work directly with families. The whole is supported by a Steering Committee at the ministerial level. The secretariat is the backbone of the organization, supporting the HUB, the COR, and the Steering committee. The first HUB was named Thunderwing by



the community, and started with a focus on a high crime 21 Block area in Winnipeg's North End. It has rolled out well, overcoming challenges in information sharing and bureaucratic barriers, and shows great promise as an effective collaborative model for the future. The project has already been expanded to include several surrounding neighbourhoods. Evaluation of the roll out is underway and the next HUB has not yet been determined (Manitoba Government 2013). No reportable outcomes are available as yet, but several families have been helped in the first year as the model was being established.

Understanding Your Role and Mandate within Your Organization

Lawson (2004 p. 226) describes how collaboration between stakeholders, whether individuals, groups, families, professions, organizations, governmental systems, or nations, must have a real "stake in the action" in order to develop effective working relationships. Reilly (2000) wrote three common stakeholder motives include: (1) moral altruism (stakeholders' desire to 'do good' even if they do not benefit), (2) enlightened self-interest (stakeholders need one or more of the benefits, e.g., improved results), and (3) concerns about being left out (missing opportunities, legitimacy, prestige or resources). If stakeholders learn to depend upon each other, collaboration can reinforce relationships (ibid.). MDC develops from grass-roots or frontline and from high level policies or directives, all must be involved. Recognize your own MDC related role.

MDC Requires Multi-Pronged Implementation and Ongoing Support Mechanisms

The MDC requires procedural amendments/ changes ensuring a combination of flexible policy, written practices, agreements and mandates (living documents), effective information sharing and leadership that embodies the spirit of MDC. Embedding it in practice through the various structures and layers of each concerned organization is key. A true "shift" in culture and practice is needed, empowering individual service providers to be supported in prioritizing the relationship between organizations and community and the relationship with the direct service recipient. A true continuous shift in this area cannot be sustained by static policy or directive. The catalyst for such continuous shift is the self-regulatory function with which the MDC framework must be equipped as the organization to be able to adjust and even transform in order to support the continual shift in practice when delivering services in a continually changing social environment.

Changing Public Discourse is crucial

The importance of public discourse has been established in cases such as in Boston, where two emergency room doctors led a social movement significantly reducing violence (Prothrow-Stith & Spivak 2004). In the late 1980s, the City of Boston and surrounding municipalities experienced a crisis of shootings in which every month youth (under 18) were being shot, killed or injured. The violence prevention strategies instigated by Prothrow-Stith and Spivak (2004), were innovative in that (1) they involved the medical community (and later other disciplines) in preventive or proactive rather than reactive approaches, and (2) they motivated collaboration between all the stakeholders. They succeeded in melding the social culture and public discourse to one in which violence was generally not acceptable. This was known as Operation Ceasefire (aka the Boston Gun Project), and brought police resources together with other agencies and community groups, resulting in a 63% decline in youth homicides over three years (Linden 2012, p. 470, Kennedy et al 2001).

Violent perpetrators seen as victims, providing the moral impetus for giving gang members help and resources to exit the gang life

Successful violence reduction programs undertaken in the Boston area aim at interrupting the cycle of violence by humanizing youth and shifting the focus away from punitively fixing blame; gang members are also victims of the place that the lottery of life placed them in (Prothrow-Stith & Spivak 2004, p. 50). This was done by pulling relevant disciplines together for better collaboration and viewing violent perpetrators also as victims, so gang members were given resources to exit the gang life (Prothrow-Stith & Spivak 2004, p. 51-55). Prothrow-Stith and Spivak advocate multiple systems approaches, as they wrote, "In an avalanche, not one snowflake feels responsible". (Prothrow-Stith & Spivak 2004, p. 61).

Prepare To Work through Change & Challenges Together

Once formal and or operational support is secured and the MDC initiative launched, the work really begins. Incorporating and strengthening MDC service approaches can initially feel threatening and daunting to some given the "change." Part of the change management is understanding that working in an MDC fashion has more benefits than not. Like CAC models, focus should be on the improvements to service to the client, not an individual organization as a service driver. The moto "check your ego at the door" is common in client focused MDC models. Change resistance and the difficulties of making organizational changes are well documented (Bishop 1994, p. 47-71, Weisel & Eck 1994, Townsley, Johnson & Pease 2003, Trice & Beyer 1993, Scheingold 2000, Greene 1998, Lawson 2004, Glensor & Peak 1996).

Even promising changes may be less successful if there is disconnect between the executive, middle management and front line service providers. A top-down to MDC undermines the principle, driving it in one direction will be less successful than preparing the organizational environment for the change. Sustained organizational change requires the fostering of support at all organizational levels. Even positive changes can be a challenge for some due to human nature. Change management research has found 90% of corporate strategy changes fail (Trice & Beyer 1993), often because administrators did not plan to mitigate the psychological impacts the changes would have on people (Cameron & Green 2004). Schein (1985) found preparing people psychologically can reduce anxiety about workplace changes (ibid.). Schein described how management should first create and reinforce the need for change among employees (the 'unfreezing' stage). Then, changes are implemented, and the final stage is 'refreezing' in which the changes are internalized and adopted (Schein 1985, in Cameron & Green 2004). The ability to 'manage up' is as important as tradition-management.

Growing pains, glitches and frustration associated with organizational change should not be interpreted as a failure of the MDC. Kriesberg (1998: 2) highlighted that social conflict between persons or groups tends to polarize people. It is expected that the systemic realignment will require the ability and human resources needed to work through conflict. Galtung (1969) and Jeong (2000) have written institutional changes will occur if stakeholders get at the root causes of conflict. Conflict resolution processes may include getting the right people to the table for "sustained dialogue" (Saunders 2003, Lowry & Littlejohn 2003), identifying the type of conflicts and processes through which they may be resolved (Simmel 1908/1955, Schellenberg 1996). Systems theories are applicable to "service science," demonstrating integration through "creating value within and amongst service systems," including periods of "adjustment, transformation and redefinition of the organizational structure" (Mele, Pels & Polese 2010: 131).

CONCLUDING COMMENTS

Multidisciplinary collaboration of stakeholders at every level in combination with partnerships including community and experiential persons, provides a fulsome feedback loop and proactive service approach grounded in continuous improvement, increasing efficiency and fine-tuned service delivery. Addressing modern-day social problems requires meaningful collaboration and partnerships on a level never seen before.

Community and public service organizations must begin again to share responsibility for social problems, rather than deflecting and finger pointing, and find ways to work collectively rather than in opposition or duplication. "The implications for the future are considerable – police agencies [and the broad spectrum of service providers] that fail to work in whole-community teams risk failing to contribute to the solution of significant social problems" (Chrismas 2013). Gladwell (2002) warned how change can occur once sufficient critical mass reaches a "tipping point." Canada, not unlike other countries, is at a tipping point with respect to the grave nature of and our response to many social problems. Collaborative models engaging all stakeholders as equal partners seem to offer a clear solution and may be our only chance for truly sustainable solutions. In high-risk service provision the benefits of MDC means not only increased effectiveness and efficiency of services, improving social justice and quality of life for our most vulnerable citizens, while perhaps also bringing the notion of community sharing responsibility for public safety with public services back into the discourse.••

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RÉSUMÉ

MULTI-DISCIPLINARY COLLABORATION-AN ESSENTIAL TOOL AND SKILL OF RESPONSIBLE PUBLIC SERVICE IN HIGH-RISK SERVICE PROVISION

Par Robert Chrismas, auteur de *Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes* et Claudia Ponce Joly, M.S.W., M.A.P., consultante indépendante et conférencière en matière de politiques publiques

Dans le contexte des services policiers et des organismes de justice au Canada, les auteurs soutiennent qu'un approche de collaboration multidisciplinaire (CMD) des services contribue à combler les lacunes sur le plan des services, à accroître l'efficience et l'efficacité des services, à réduire les effets néfastes et à accroître la sécurité publique. Ils nous avertissent aussi que pour qu'une collaboration multidisciplinaire entre les intervenants et les partenaires s'avère efficace, un changement de paradigme s'impose dans la culture organisationnelle à tous les égards et à tous les nivaux. Cette approche, si elle est mise en œuvre correctement, favorisera le développement d'une approche de service éclairée et bien peaufinée, ancrée dans une prestation de service en constante amélioration, en efficience croissante. Cet article met en lumière plusieurs exemples d'initiatives prometteuses de CMD et de considérations organisationnelles, des positions s'appuyant sur l'expérience exhaustive des auteurs dans les domaines des services policiers, des politiques publiques, du bien-être de l'enfance et de partenariat multidisciplinaires, des positions combinées à une expérience de recherche considérable dans les champs de la théorie des systèmes, la résolution des conflits, de même que les approches de service multidisciplinaires. Ils avancent qu'il est fondamental pour assurer une prestation de service efficace et éclairée à la population, que des relations de bonne qualité s'imposent, non seulement chez les clients bénéficiaires et les fournisseurs de services, mais aussi entre toues les organisations impliquées et leurs effectifs. Soulignant que le fonctionnement d'organisations s'améliora intuitivement dans un tel cadre holistique, les auteurs soutiennent que la collaboration et d'autres principes s'appliquent de manière égale à l'enveloppe plus large des services publics. L'incorporation proactive d'approches de CMD a été recommandée dans bon nombre de rapports d'examen et d'enquête au Canada. La mise en œuvre de changements ayant une incidence sur le fondement même des choses

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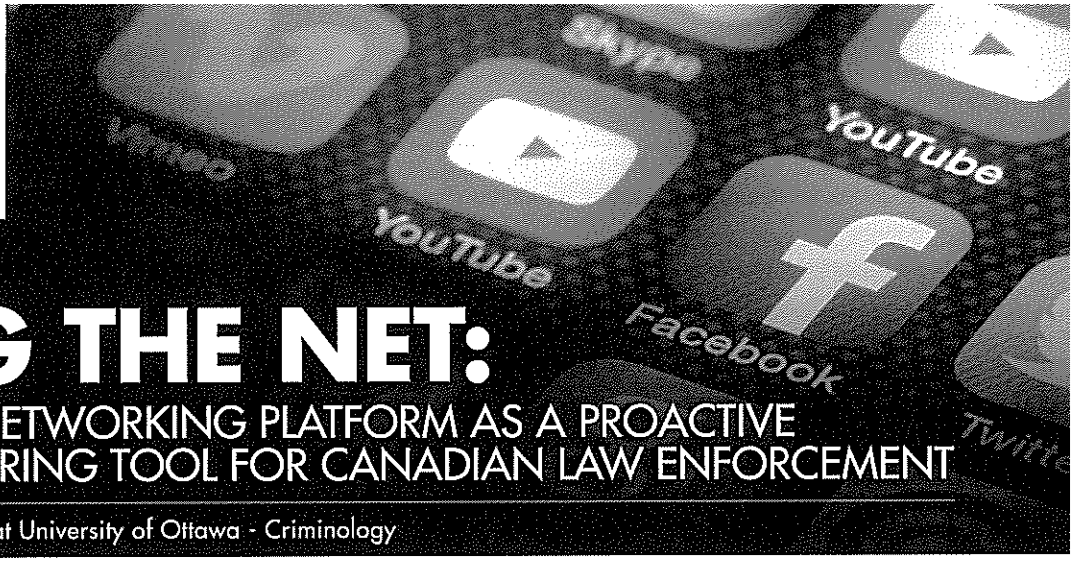

CASTING THE NET:

USING THE SOCIAL NETWORKING PLATFORM AS A PROACTIVE INTELLIGENCE GATHERING TOOL FOR CANADIAN LAW ENFORCEMENT

BY FRANK BARFUSS, MA Student at University of Ottawa - Criminology

The Internet represents a new form of communication never before seen in the history of the human race; its ability to gather and disseminate information is truly staggering. While many aspects of this technological revolution are positive, numerous groups and individuals with less-than-noble intentions have also harnessed this new medium with great success. In today's virtual landscape, extremist organizations have become experts at using the online environment to further their ideological goals (Brown 2009, Caren et al. 2012, Du Plessis 2008, Gerstenfeld et al. 2003). The online environment provides them near-limitless potential to promote themselves, spread their message and network with or recruit followers.

But, they aren't the only ones. Law enforcement has also begun to exploit the World Wide Web as a new type of investigative tool (Hagy 2007). Yet, the methods they are using to tap into this new resource are limited at best. Basic searches of addresses, contact information, group affiliations and discussion boards are the most common activities carried out by police, but only scratch the surface of the potential the Web has to offer (Hagy 2007). Instead of this reactive approach to crime, the Internet provides the means for a much more proactive one. By tapping into the unique structure and format used by popular social networking sites, copycat sites could be created to act as an active and ongoing intelligence-gathering tool directed at violent extremists and their networks. Essentially, copycat sites would be websites of fictitious deviant groups, created by law enforcement, to serve as an online gathering place for extremists. They would be based on the structure and spirt of popular social networking platforms to encourage members to provide numerous pieces of personal information and allow police the capacity to engage in proactive intelligence gathering and risk assessment of individuals who display online behavior which may single them out as being of particular concern.

History and Influence of Social Networking Sites (SNS) in the 21st Century

The Internet represents a quantum leap in terms of our ability to communicate, connect and share information with one another. It is "a world-wide broadcasting capability, a mechanism for information dissemination, and a medium for collaboration and interaction between individuals and their computers without regard for geographic location" (Leiner et al. 2009, p. 22). One of the most successful manifestations of this connectability takes the form of social networking sites (Detweiler 2013, Reiman 2012, Clemmitt 2010). While precursors to this type of platform appeared in the late 1990s (Friendster, Black Planet, Classmates.com), the term social networking and what it represents today is a relatively new phenomenon (Boyd & Ellison 2007).

Social networking gained mass popularity with the appearance of Web 2.0, a term coined by Darcy DiNucci at the turn of the 21st century. Web 2.0 changed the Internet from a passive, digital bulletin board to a far more dynamic environment capable of accommodating much greater materials in terms of size and shape. A place were user-generated content could shape and create the narrative (Allen 2013). "The Internet is as much a collection of communities as a collection of technologies, and its success is largely attributable to both satisfying basic community needs as well as utilizing the community in an effective way to push the infrastructure forward" (Leiner et al. 2009, p. 29).

This paradigm shift has resulted in enormous levels of data transfer on the World Wide Web every day. For example, on YouTube users upload approximately two days' worth of videos, on Instagram close to 3,600 pictures and Facebook members share around 684,478 bits of content, all in the span of a single minute (Spencer 2012). Twitter followers send nearly 175 million tweets each and every day, and estimates now put the "global Internet population" at about one third the population of the planet, or approximately 2.1 billion people (Spencer 2012). Social networking sites are well suited for Web 2.0, as everyday users can communicate in real time, post both images and videos, participate in online discussions and create their own online personal spaces at very little cost or effort. This is why the social networking platform should hold particular interest to law enforcement. These sites are not only configured to accommodate vast amounts of personal and sometimes, sensitive information, but also to encourage users to give this type of data freely and make it easily accessible. Furthermore, these are all habits 'well-programmed' by SNSs in many of today's tech savvy individuals, extremists included.

Identity Creation and New Spaces of Belonging: How the Social Networking Platform Responds to the Needs of Extremist Group Members

Personal profiles that highlight hobbies and interests, the ability to post pictures or videos, news and personal status updates as well as a list of each member's friends and links to their pages are elements found on most social networking sites (Boyd & Ellison 2007). Yet, unsurprisingly, these features are often found on many websites linked to extremist groups as well (Stormfront.com, Blood and Honour.com). While the end results are most certainly very

different, extremist groups have been quick to adopt the look and feel of social networking to their own web pages; something which law enforcement should take notice of. The reason is simple: SNS connect with the very basic needs of identity and belonging.

Certainly, as the name suggests, SNS are geared towards ideas of community, membership and to establishing or maintaining relationships among individuals who share similar beliefs or ideologies. They tap into common notions of belonging through applications specifically designed to hold "strong cognitive associations" and to mimic many of our offline social actions within the online environment (Margalit 2014), Friending, joining or supporting various groups or causes, chatting and sharing important moments with others are all activities users can pursue on these sites. They create an intimacy between individuals and help reinforce ties between group members independent of any physical interaction (Margalit 2014). In essence, these sites are specifically designed with the intent of "blurring the line between real and virtual relationships" (Margalit 2014).

What SNS also provide is the ability to create an identity, either through choices made about what an individual may reveal, but also, and more importantly in terms of this article, through an individual's network (Margalit 2014). In terms of identity as a reflection of personal choices, users construct online identity by publishing specific personal information, photos or videos, preferences, affiliations with groups, opinions and comments (Peachey & Childs 2011). While a degree of caution must always be taken when viewing these online identities as true versions of an individual, research shows that much of what is presented online may in fact represent someone's idealized self, who they would like to be or become (Margalit 2014). Identity in the virtual world is also presented through an individual's networks and the groups to which they belong (Peachey & Childs 2011). A person's interests and the organizations they choose to be associated with send a specific message as to the type of individual they are.

A Case for Copycat Sites and What They Would Look Like

While the usefulness of SNS will undoubtedly only increase as an investigative tool for police in the future, by going beyond a soley reactive approach this new medium can be taken to an entirely different level. Instead, by applying the SNS model which has proven extremely successful at eliciting data from individuals and organizations, law enforcement can create their own copycat extremist sites to lure high-risk individuals to not only become members, but willingly provide vital personal information. The make-up of these copycat sites should essentially contain many of the same structural elements that of popular SNS do. For example, profile pages have the capacity to generate extremely valuable types of information on an individual such as name, address, interests, affiliations, friends and other important background data (Boyd & Ellison 2007). This kind of content is willingly provided by users in an effort to create an online identity and as a means to establish and maintain relationships with other members.

The profile page also encourages a user to go further and post pictures, videos or comments, provides them the opportunity to share their views on other user's content and construct a narrative of the individual's beliefs and opinions (Boutin 2012). Copycat sites should also have the capacity for real-time interaction among members in the form of open discussion forums. This common feature found on many extremist sites would be another excellent intelligence gathering tool, enabling police to monitor and gauge the opinions and attitudes of various extremist members (Madden 2008, Neumann 2012, Pollock 2009, Thomas 2009).

This creation and presentation of identity can yield enormous amounts of valuable intelligence in terms of the size and scope of a subject's network and level of dedication to the extremist cause. This data can prove invaluable, as the size of someone's online footprint in terms of extremist content can be a gauge of their potential to act upon these beliefs. Many cases demonstrate telling correlations between an individual's online activity level within extremist websites and their propensity for committing acts of violence (Beirich 2014, Heim 2012, Pantucci 2011). These copycat sites could greatly enhance law enforcement's ability to conduct detailed risk assessments and focus on the necessary resources and effort on particularly concerning groups or individuals.

Addressing Questions of Legality with this Approach

Social networking sites collect massive amounts of information provided by its members and use it for targeted advertising, to share with other companies who are associated with the website in question and can even sell it to third-party vendors (Facebook.com, Google.com, Myspace.com). How are they allowed to do this? Members implicitly agree to vague terms of service and data policy by joining a site, most not bothering to read the lengthy fine print. Once a member, you are only notified of changes to the policy but not required to review or agree to them ever again.

While collecting data based on personal information or web browser history is one thing, many may challenge the legality of amassing intelligence through the use of copycat sites, quoting concerns with privacy and entrapment. Yet nothing expressly forbids law enforcement from conducting investigations with this approach. While not specifically making use of the Internet, there are numerous examples of operations carried out by police proven more duplicitous and invasive. Take the case of the Montreal International Currency Center sting from Operation Compote in which the Royal Canadian Mounted Police (RCMP) created a fictitious banking firm to encourage criminals to use their services to launder money obtained from illegal enterprises (Lamouthe et al. 2009). Through the work of undercover officers, the RCMP were able to encourage many of the main organized crime groups operating in Montreal at the time to trust them with sensitive banking information and enabled the RCMP a behind-the-scenes and detailed look at how various criminal groups in Quebec launder their proceeds of crime (Lamouthe et al. 2009).

Another example of law enforcement using deception through the creation of fake organizations is the Mr. Big sting, where law enforcement officers portray a criminal organization and specifically target individuals, duping them into providing information on criminal activity with the promise of wealth and membership within their fictitious gang (Smith et al. 2009). These types of stings can be extremely elaborate and occur over relatively long periods, even having a suspect engage

in made-up crimes, all in an effort to gain the suspect's trust so they will provide evidence related to a particular investigation which can later be used in court (Smith et al. 2009). In fact, one of the most sought-after outcomes is to elicit a confession from the target, all under the guise that this 'truthfulness' is necessary if the suspect wants to benefit from all the 'criminal' group is offering them in terms of power and wealth.

While many have argued this type of investigative technique is entrapment, a recent ruling by the Supreme Court of Canada did not fully agree. While the court did rule that confessions obtained through the use of the Mr. Big sting were presumptively inadmissible during a criminal trial, it may still be admissible in court if the crown is able to prove greater probative value than prejudicial (R. v. Hart 2014). Furthermore, there was no ruling regarding the confession being used as a means to focus an investigation, or eliminate potential suspects; in other words, to be used as a means to gather intelligence.

Arguably, the most famous example of using the Internet to gain information and even potential evidence using deception online is Perverted Justice - a citizen-run initiative whose main focus is to surf the World Wide Web, specifically, chat rooms frequented by sex offenders, and pose as minors in an effort to identify and gain information on potential pedophiles that are at greatest risk of committing crimes according to analyses of their online behaviors and statements (www.pervertedjustice.com). To date, members of Perverted Justice have collected such personal data from would-be offenders as names, addresses or other contact information and gone as far as to set up fictitious meetings with their targets.

Volunteers record and provide all this information to police, who have used it to make numerous arrests. The organization also provides law enforcement with transcripts of the online chats between volunteers and suspected pedophiles (Rokuson 2009). Despite numerous cries of entrapment from defence attorneys, by and large, this type of data has been readily accepted and used as evidence in court for convictions of such predators (Rokuson 2009).

Conclusion

The World Wide Web has created a welcoming and accessible environment ideal for those who want to promote forbidden or risky behaviours and extreme ideologies or belief systems. It represents an unparalleled tool for propaganda and is a vehicle with which to attract and reach out to potential recruits and converts. As a result, the Internet has become an indispensable weapon in the arsenal of today's extremist groups.

In recent years we have seen a flood of online activity by these types of extremist groups and organizations in the forms of videos containing murder and mayhem, bombings and beheadings. We have witnessed online manifestos and rants against minorities or religions, not only justifying, but glorifying the killing of innocents and all those who do not subscribe to a specific set of beliefs. Extremist groups have used and continue to use the World Wide Web to network and coordinate followers, for the purpose of carrying out acts of violence on a grand scale in the name of twisted and extreme ideologies.

While the Internet represents a powerful tool for extremists, it can be equally powerful for public security officials who have yet to truly exploit its full potential. It is relatively cheap, accessible and user friendly and the creation of copycat sites by law enforcement would represent a proactive intelligence-gathering tool, only requiring the most basic of maintenance. After the initial start-up, the majority of effort required would be directed at analyzing the data not collecting it, as this type of site would be primarily constructed by member participation, something the social networking format is extremely good at encouraging. It has been said that social media and user-generated content represents the ultimate canary in the coal mine, and luckily for us, in this day and age often the most difficult thing for individuals to do is log off.●●

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RÉSUMÉ

CASTING THE NET: USING THE SOCIAL NETWORKING PLATFORM AS A PROACTIVE INTELLIGENCE GATHERING TOOL FOR CANADIAN LAW ENFORCEMENT

Par Frank Barfuss, Université Laval (Québec), Maîtrise (Criminology), University of Ottawa

Dans cet article évocateur, Frank Barfuss traite de comment l'évolution d'Internet a contribué à l'avancement spectaculaire des communications humaines et s'attarde plus particulièrement aux manifestations les plus réussies de ce phénomène, les sites de réseaux sociaux. Il en résulte un transfert d'une quantité incroyable de données entre utilisateurs et, bien que les forces de l'ordre aient commencé à exploiter cette ressource en tant qu'outil d'enquête, l'auteur avance qu'on en est encore aux balbutiements. Il propose qu'on fasse une utilisation plus poussée d'Internet en harnachant les ressources des réseaux sociaux pour concevoir des sites claqués, des sites Web de groupes extrémistes fictifs, qui seraient créés par les forces de l'ordre pour servir de méthode proactive de collecte de renseignements. Barfuss souligne que les organisations de ce genre comptent déjà sur les sites de réseaux sociaux pour parvenir à leurs buts idéologiques et qu'elles sont bien à l'aise dans cet environnement. Ainsi, des sites calqués présenteraient un bon potentiel pour recueillir des quantités massives de renseignements personnels, fournis librement par des personnes présentant un niveau de risque élevé et cela pourrait améliorer la capacité des forces de l'ordre de cerner, d'analyser et d'évaluer les menaces à notre sécurité publique et nationale.

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PLACE * Queensland University of Technology, Brisbane, Australia

INFORMATION * http://crimejusticeconference.com/call-for-submissions/

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INFORMATION * www.aca.org

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THEME//THÈME * Justice at the Crossroads | La justice a la croisée des chemins

PLACE//ENDROIT * Delta Regina, Saskatchewan

INFORMATION * www.ccja-acjp.ca

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PLACE//ENDROIT * Delta Bessborough, Saskatoon, Saskatchewan

INFORMATION * ciaj@ciaj-icaj.ca | 514-343-6157 | www.ciaj-icaj.ca/images/Newsletter_pdf_files/2015.AC.pdf

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Organisé conjointement par la Société de criminologie du Québec & la Chaire UNESCO de recherche appliquée pour l'éducation en prison

THEME//THÈME * Pour une justice éclairée et une insertion sociale réussie l'éducation et la criminologie des leviers d'action.

PLACE//ENDROIT * Centre des congrès du Château Mont-Sainte-Anne de Beaupré

INFORMATION * http://www.societecrimino.qc.ca/congres/congres-2015.php

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